

УЧЕБНИК

ПО АНГЛИЙСКОМУ ЯЗЫКУ

для студентов по специальности

«СУДЕБНАЯ ЭКСПЕРТИЗА»

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Москва

2012

Предисловие

Учебник разработан для студентов 1 и 2 курсов, обучающихся по специализации «Судебная лингвистика», в соответствии с требованиями ФГОС ВПО и рассчитан на четыре семестра (288 аудиторных часов).

Авторы видели свою задачу в обучении студентов активному владению английским языком в сфере профессиональной экспертной деятельности и профессионально-делового общения, а также формированию у них способности к межкультурному общению и познавательной деятельности. Это обусловило коммуникативную направленность и компетентностным подход к организации и подаче учебного материала. Коммуникативно-компетентностный подход соединяется с не менее важным при овладении языком юридической специальности грамматико-переводным методом, строящимся на принципе последовательного раскрытия перед студентами системного качества языка.

Особое внимание уделяется умению понимать аутентичные тексты профильно-ориентированного характера (все виды чтения), передавать информацию в связных аргументированных высказываниях (говорение и письмо), планировать свое речевое поведение с учетом специфики ситуаций общения, как в форме диалога, так и монологического высказывания. Учебник также направлен на формирование умений вести деловую и личную переписку, составлять заявления и резюме, заполнять формуляры и анкеты, вести рабочие записи при чтении, составлять рефераты, аннотации и экспертные заключения, делать презентации, доклады и проектные работы. Учебный материал предусматривает большую работу над идиоматическими выражениями, клише, единицами речевого этикета, логико-грамматическими лексическими единицами, необходимыми для социокультурного и профессионально-ориентированного общения. В учебник помещены задания для внеаудиторной работы студентов, осуществляемой сначала под опосредованным руководством преподавателя, а затем и полностью самостоятельно.

Учебник подразделяется на 12 модулей, каждый из которых включает в себя 5-6 разделов (Units). Каждый модуль содержит введение; предтекстовые задания для освоения тематической, лексической, фонетической и грамматической составляющих модуля; послетекстовые задания для определения того, достигнута ли цель чтения на соответствующем уровне понимания; тест (Test Yourself) для проверки степени усвоения пройденного материала; глоссарий объемом 10-12 гнезд, который содержит общеупотребительную и профессиональную лексику и терминологию для запоминания и активного использования.

Время прохождения модуля составляет приблизительно 22 аудиторных часа, включая рубежный контроль. В каждом семестре предполагается последовательно изучать три модуля.

Тематика, включенная в разделы, соответствует учебному плану подготовки судебных экспертов и нацелена на достижение воспитательного эффекта и формирования у студентов общекультурных и профессиональных компетенций, определенных в ФГОС ВПО.

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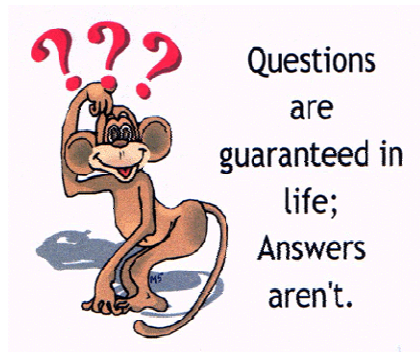
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MODULE 1

THE WORLD OF LANGUAGE

UNIT 1. INTRODUCTION

1. Посмотрите на рисунки и ответьте на вопросы.



1. Can you read all words written below? Why?
2. Can you guess in what languages the words are written?
3. Can you guess what these words mean? How can you do it?
4. What do words consist of?
5. What languages can you speak?
6. Is it difficult or easy for you to study foreign languages?
7. How many different languages are spoken in Russia?
8. What is the official language of Russia?
9. What foreign languages do children study at school in Russia?
10. Do you agree that English is the language of international communication? Give your reasons.

köszönöm !תודה dēkuji
mahalo 고맙습니다
thank you
merci 谢谢 *danke*
Ευχαριστώ شكرا
どうもありがとう *gracias*



СПАСИБО

2. Ответьте на вопросы, используя модели.

Models:

Who speaks Russian? – Russians do.

Who speaks Japanese? **The** Japanese do.

1. Who speaks English? _____
2. Who speaks Spanish? _____
3. Who speaks German? _____
4. Who speaks Arabic? _____
5. Who speaks Chinese? _____
6. Who speaks Italian? _____

3. Составьте диалог, используя модели.

Models: - Where is he from?

- He is from Great Britain. He is **an** Englishman.

- Where is she from?

- She is from China. She is Chinese/ or /She is **a** Chinese woman.

(The USA, Japan, Russia, Canada, Korea, France)

4. Составьте диалоги, используя модели.

Model: Does he live in the Netherlands or Denmark? – I think he is **a** Dane.

1. _____? – I think he is a Pole.
2. _____? – I think he is a Spaniard.
3. _____? – I think he is a Swede.
4. _____? – I think he is a Finn.
5. _____? – I think he is a Swiss.

Model: Are they speaking Portuguese? – Yes, they are. But I think they are Brazilians.

1. Are they speaking English? – (India)_____
2. Are they speaking French? - (Canada)_____
3. Are they speaking Arabic? - (Egypt)_____
4. Are they speaking Turkish? – (Azerbaijan)_____
5. Are they speaking German? – (Austria)_____
6. Are they speaking Danish? – (Denmark) _____

5. Закончите предложения.

1. He's from Brazil. He's ____.
a. Brazilish b. Brazilian c. Brazilese
2. I'm from Colombia. I can speak ____.
a. Spanish b. Colombian c. Colombish
3. She's from Russia. She can speak ____.
a. Russia b. Russy c. Russian

4. We're from Italy. We're ____.
a. Italien b. Italian c. Italiun
5. My friend is from Korea. He can speak ____.
a. Korish b. Korean c. Koreanese
6. Pablo is from Mexico. He's ____.
a. Spanish b. Mexican c. Mexian
7. Martha is from the United States. She's ____.
a. American b. United Statian c. United Statianese
8. My father is from China. He can speak ____.
a. Chiny b. Chinish c. Chinese
9. Gloria is from Puerto Rico. She's ____.
a. Puerto Rich b. Puerto Rican c. Puerto Riquean
10. Pierre is from France. He can speak ____.
a. Franchise b. Francese c. French

6. Прочитайте ответы ученых и писателей на вопрос: "What is language?" Сформулируйте свой ответ на этот вопрос и объясните свою позицию.

Human System of Communication

Language is a human system of communication that uses arbitrary signals, such as voice sounds, gestures, or written symbols.

The Armory of the Human Mind

Language is the armory of the human mind, and at once contains the trophies of its past and the weapons of its future conquests.

An Art

Language is an anonymous, collective and unconscious art; the result of the creativity of thousands of generations.

The Instrument of Science

"I am not yet so lost in lexicography as to forget that words are the daughters of earth and that things are the sons of heaven. Language is only the instrument of science, and words are but the signs of ideas: I wish, however, that the instrument might be less apt to decay, and that signs might be permanent, like the things which they denote."

(Samuel Johnson, Preface, *A Dictionary of the English Language*, 1755)

Laws

"In language, the ignorant have prescribed laws to the learned."

(Richard Duppa, *Maxims*, 1830)

A Process of Free Creation

ANSWERS

A. English has borrowed words from over 350 other languages, and over three-quarters of the English lexicon is actually Classical or Romance in origin.

B. The form *OK* or *okay* is probably the most intensively and widely used word in the history of the language.

C. English is now the language most widely taught as a foreign language--in over 100 countries, such as China, Russia, Germany, Spain, Egypt, and Brazil--and in most of these countries it is emerging as the chief foreign language to be encountered in schools, often displacing another language in the process.

D. English has official or special status in at least 75 countries (with a combined population of two billion people). It is estimated that one out of four people worldwide speak English with some degree of competence.

E. First-language speakers: 375 million
Second-language speakers: 375 million
Foreign-language speakers: 750 million

F. Today there are about 6,000 languages in the world, and half of the world's population speaks only 10 of them. English is the single most dominant of these 10.

8. Работа в парах. Обсудите, что нового Вы узнали об английском языке и его месте в современном мире в форме диалога.

UNIT 2. THE HISTORY OF THE ENGLISH LANGUAGE

Повторение грамматики: Словообразование

Словообразование – это один из наиболее продуктивных способов расширения и обогащения словарного состава. Выделяют три способа словообразования:

1) **Словопроизводство** – образование новых слов преимущественно путем прибавления к корню префиксов и суффиксов.

Английские префиксы, как правило, не меняют части речи.

Например:	to move – movement
	двигаться – движение
	to move – to remove
	двигать - передвигать

2) **Словосложение** – соединение двух и более корневых слов в одно составное слово.

Например:	respect + ability = respectability
	уважение + способность = почтенность, респектабельность

3) **Конверсия** - переход слова из одной части речи в другую, без изменения его формы.

Например:	to respect – уважать
	respect - уважение

1. Прочитайте однокоренные слова, определите части речи, подчеркните словообразующие суффиксы и запишите их в таблицу.

1. respect – respectful – respectfully – respectable – respecter – respective – respectively - respecting;
2. occupy – occupancy – occupant – occupation – occupational - occupied
3. colony – colonial – colonialism – colonialist – colonization – colonist – colonize – colonizer
4. estimate – estimated – estimation – estimative – estimator – estimable -estimably
5. inhabit - inhabitant – inhabitable – inhabitation – inhabitancy – inhabited - inhabiter
7. add – addition – additional – additionally – addendum – adder

PARTS OF SPEECH	SUFFIXES
NOUNS	
ADJECTIVES	
VERBS	
ADVERBS	

2. Образуйте новые слова с помощью одного из префиксов *re, over, in* и переведите их на русский язык:

to estimate, definite, to tell, to move, dependant, direct, distinctive, to come.

3. Прочитайте пары предложений и определите, какой частью речи являются выделенные слова.

1. English becomes the chief **means** of communication between nations. It **means** that each language has its unique beauty and power.
2. The **study** of the English language becomes a branch of linguistics. Many people in different countries **study** English.
3. David Crystal has been conducting **research** in language studies since the early 1960s. He **researches** English as a Global Language.

4. Прочитайте текст.

TEXT

FROM THE HISTORY OF THE ENGLISH LANGUAGE

Genetically, English belongs to the Germanic or Teutonic group of languages, which is one of the twelve groups of the Indo-European (IE) linguistic family. Most of the area of Europe and

large parts of other continents are occupied today by the IE languages, Germanic being one of their major groups.

The Germanic languages in the world are as follows:

English - in Great Britain, Ireland, the USA, Canada, Australia, New Zealand, the South African Republic, and many other former British colonies and dominions; **German** - in Germany, Austria, Luxemburg, Liechtenstein, part of Switzerland; **Netherlandish** - the Netherlands and Flanders (Belgium) (known also as Dutch and Flemish respectively); **Afrikaans** - in the South African Republic; **Danish** - in Denmark; **Swedish** - in Sweden and Finland; **Norwegian** - in Norway; **Icelandic** - in Iceland; **Frisian** - in some regions of the Netherlands and Germany, **Faeroese** - in the Faeroe Islands.

It is difficult to estimate the number of people speaking Germanic languages, especially on account of English, which in many countries is one of two languages in a bilingual community, e.g. in Canada. The estimates for English range from 250 to 300 million people who have it as their mother tongue. The total number of people speaking Germanic languages approaches 440 million. To this rough estimate and indefinite number of bilingual people in over 50 countries where English is used as an official language could be added.

From the British Isles English spread all over the world, but English has not always been the language of the inhabitants of those islands. When the Romans colonized England in the 1st century of our era, the country was inhabited by Celtic tribes, and until the 5th century only Celtic languages were spoken by the people of Britain.

5. Составьте вопросы к тексту в соответствии со схемами, данными ниже. Из десяти вопросов только три построены правильно. Ответьте на вопросы.

1. Group of languages does English belong to?
2. What other languages belong to this group?
3. How many people Germanic languages speak?
4. What you know from the history of the English language?
5. When Romans colonized England?
6. Who colonized England in the 1st century of our era?
7. What Celtic tribes language spoke?
8. Where English spread from the British Isles?
9. Has been English always the language of those islands?
10. Were Celtic languages spoken by the people of Britain until the 5th century?

Структура общего вопроса

Вспомогательный глагол	Подлежащее	Смысловый глагол	Остальные члены предложения
-------------------------------	-------------------	-------------------------	------------------------------------

Структура специального вопроса

Вопросительное слово (WHEN, WHERE, WHAT, WHY, HOW...)	Вспомогательный глагол	Подлежащее	Смысловый глагол	Остальные члены предложения
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6. Найдите в каждом предложении главные члены (подлежащее и сказуемое). Переведите предложения на русский язык и поставьте вопросы к подлежащему английского предложения. Пользуйтесь схемой.

Вопросительное слово (на месте подлежащего) Who, Whose	Сказуемое	Остальные члены предложения
---	------------------	--

1. During the fifteen hundred years that have passed since the Anglo-Saxon invasions in the middle of 5th century, the English language has changed considerably.
2. English was influenced by the language of the Danish invaders in the 8th -10th centuries.
3. The third period starts after 1066, the year of the Norman Conquest.
4. Under Norman rule the official language in England was French, or rather its variety called Anglo-French or Anglo-Norman.
5. For several hundred years court procedure was conducted entirely in French, so that to this day native English words in this sphere are rare.
6. The English language of the 19th and 20th centuries represents the seventh period in the history of English.
7. The 20th century witnessed considerable intermixture of dialects.
8. By the end of the period (the 12th – half of the 14th centuries), grammatical alterations had transformed English from highly inflected language into a mainly analytical one.
9. In the 14th – 16th centuries new words continue to be made up from Latin and Greek roots for new inventions and scientific discoveries.
10. In the 19th and 20th centuries the English vocabulary has grown on unprecedented scale reflecting the rapid progress of technology, science and culture.

7. Пользуясь таблицей, определите функцию местоимения “it” в предложениях. Переведите предложения.

Функция	Пример	Перевод
Личное местоимение	Where is my book? – It is on the desk.	Где моя книга? – Она на столе.
Указательное местоимение	It is an English magazine. I know it .	Это английский журнал. Я знаю это .
Формальное (безличное) подлежащее	It is dark. It is necessary to understand it.	Темно. Необходимо понять это. (не переводится)
Усилительная конструкция	It was Bell who got the first patent on telephone.	Это (именно) Белл получил первый патент на телефон.

1. The fourth period was from the later 14th century until the end of the 15th century. It is called Classical Middle English. It was the time of restoration of English to the position of the state and literary language.
2. It was Thomas More who first used numerous Latin and Greek words in the early 16th century.
3. It is also important to note that in the early of 18th century the English language extended its area for beyond the borders of the British Isles, first of all to North America.

4. It is now almost impossible for us to fully participate in the global village that we live in, without “knowing” a common world language.
5. It is estimated that more than a billion people in the world use English either as their native, second or foreign language.
6. It is well said that “the human heart is like a box and language is the key”.
7. English is part of the Germanic branch of the Indo-European family of languages. It is spoken as a native language by around 377 million and as a second language by around 375 million speakers in the world. Speakers of English as a second language will soon outnumber those who speak it as a first language.

8. Расскажите, что Вы узнали об истории английского языка по плану, представленному ниже.

The text is about _____

The English language belongs to _____

The total number of people speaking _____

There are _____ periods in the development of the English language.

They are

1. _____ starting from _____

2. _____ starting from _____

.....

English was influenced by many languages during its history: _____

Nowadays the English language is _____

9. Прочитайте и переведите текст.

TEXT

ENGLISH LANGUAGE: LOANWORDS AND NEW WORDS

Words come into the English language in three major ways. They may enter English as loanwords, words taken into English from another language, or sometimes from a regional dialect or another variety of English. English has accepted words from many different languages. A strong trend is for words from American English to spread to other varieties of English.

New words can be created by word formation, when words are formed by taking existing words, or pieces of words, and putting them together to make new ones (for example, *chat room* or *change management*).

New words can come from layering, when an existing word splits into more than one meaning. It results in polisemy (several or many meanings of the word).

Unlike some other languages, English has never tried to prevent foreign words from coming into it. Words have entered from French, Latin, Greek, Italian, Spanish, Chinese, Japanese, and Hindi, as well as many other languages. These words have often lost their feeling of being foreign and become English words.

In 1066, William the Conqueror invaded England from Normandy in France. French became the language of power and prestige. At this time, numerous French words entered the language, especially those concerned with power, such as *duke*, *duchess*, *count*, *countess*; or words concerned with authority, such as *parliament*, *government*; or with law, such as *accuse*, *attorney*, *crime*. Other French words that were adopted related to fashion, such as *apparel*, *dress*; or to the arts, such as *music*, *poem*; or to moral qualities, such as *courtesy*, *charity*.

Existing English words did not necessarily disappear. Often they remained alongside the newer French ones, but were used in more ordinary surroundings. For example, the English-

speaking lower classes retained the names of the animals *cow*, *sheep*, *swine* (all from Old English). Meanwhile, the French names, *beef*, *mutton*, and *pork*, were adopted when these animals were eaten as meat, as meat was more commonly eaten by the rich, noble families.

Latin, the language of the church, also played a major role. In some cases, English, French, and Latin words with similar meanings are found side by side, as with *help* (English), *aid* (French), *assistance* (Latin) and *book* (English), *volume* (French), and *text* (Latin).

Many Latin words were adopted into English during the 16th and 17th centuries. These were mainly part of the written language, and tended to be intellectual in nature, *such as analysis, apparatus, appendix, formula, and curriculum*. Some, such as those just listed, were taken over in their Latin form, but others were adapted to English spelling, such as *history, maturity, polite, and scripture*. Few people nowadays would recognize the Latin basis of words such as *history* or *polite*.

In the 17th century, English was in contact with other major European languages, and this is reflected in words being “borrowed” from French (*colonel, machine, cartridge*), from Spanish (*armada, banana, galleon*) and from Italian (*ballot, carnival, madrigal*).

Now, in the early 21st century, new words relating to computers and the Internet possibly outnumber all other, for example: *cyber sickness* – a feeling of illness caused by using a computer for long periods of time or being in a room with a lot of computers; *keypal* – someone with whom you regularly exchange e-mail; *screenager* (informal) – a young person who spends a lot of time using computers and Internet.

Words are continually coming into English. So is the language getting bigger and bigger? Yes, it is. But words do not necessarily stay for ever. They may fall out of use, and die away.

10. Соотнесите русские эквиваленты с английскими словами и словосочетаниями из текста.

1. loanwords	a. превосходить численно
2. word formation	b. относящийся к моде
3. layering	c. сохранить названия
4. variety of language	d. имеющий отношение к власти и ее структурам
5. to split into some meanings	e. играть важную роль
6. to lose the feeling of being foreign	f. словообразование
7. to enter the language	g. слова со схожими значениями
8. concerned with power and authority	h. расщепление на несколько понятий
9. related to fashion	i. выходить из употребления
10. to retain the names	j. адаптировать (приспосабливать) к английскому правописанию
11. to play a major role	k. вариант языка
12. words with similar meanings	l. входить (заимствоваться) в язык
13. to adapt to English spelling	n. образование новых значений слова
14. to outnumber	o. утрачивать ощущение инородности
15. to fall out of use	p. слова, заимствованные из других языков

11. Закончите предложения в соответствии с содержанием текста.

- Words have come into the English language from _____
 - American English
 - different languages
 - the Scandinavian language.

2. Loanwords are _____
 - a) layering
 - b) several or many meanings of the word
 - c) words from other languages, regional dialect or another variety of English.
3. Words can be created by _____
 - a) prestige
 - b) word formation
 - c) history.
4. There are lots of French words in Modern English. For example, _____
 - a) carnival, banana, assistance
 - b) parliament, government, crime, accuse, attorney
 - c) cow, sheep, swine, help, book.
5. Many Latin words were mainly part of the written language, such as _____
 - a) appendix, formula, curriculum
 - b) music, poem, dress
 - c) assistance, text, history, maturity, polite

12. Выразите согласие/несогласие со следующими утверждениями, используя ту или иную речевую модель. Исправьте неверные утверждения.

Models: **a) I fully agree with this statement.**
 b) I am afraid I can't agree with it.

1. Words may enter English as loanwords.
2. Words are not formed by taking existing words, or pieces of words, and putting them together to make new ones.
3. Words can come from layering.
4. Polysemous words have two or more different meanings.
5. As some other languages, English has tried to prevent foreign words from coming into it.
6. In 1266 numerous French words entered English.
7. The words "parliament" and "government" are related to fashion.
8. Since William the Conqueror invaded England existing English words disappeared.
9. Latin was the language of the church.
10. English, French, and Latin words with similar meanings are found side by side.
11. Many Latin words tended to be intellectual in nature.
12. Some Latin words were adapted to English spelling.

13. Определите, какие слова из текста описывает каждая из фраз.

1.	a word taken into one language from another
2.	a variety of a language spoken only in one area, in which words or grammar are slightly different from other forms of the same language
3.	words are formed by taking existing words, or pieces of words, and putting them together to make new ones
4.	an existing word splits into more than one meaning
5.	several or many meanings of the same word
6.	the language of the ancient Romans
7.	one of the official languages of India

8.	the popular style of clothes, hair, behaviour, etc. at a particular time
9.	the power you have because of your official position
10.	something such as a word, phrase, or idea that has been copied from another language, book, etc.

Некоторые имена существительные латинского и греческого происхождения сохранили латинскую или греческую форму образования множественного числа и употребляются в современном английском языке наряду с традиционной формой множественного числа.

analysis – analyses – анализ, исследование

apparatus- apparatus (apparatuses) – аппаратура, прибор

appendix – appendices (appendixes) – приложение, дополнение к документу

formula – formulae (formulas) – формула, состав

curriculum – curricula (curriculumums) – учебный план, учебный курс

thesis – theses – тезис, диссертация

datum – data – данная величина, исходный факт

14. Прочитайте и переведите предложения. Подчеркните имена существительные латинского и греческого происхождения. Определите, в каком числе они употреблены в предложении.

1. The physicist and the biologist performed separate analyses.
2. "Psychoanalysis is confession without absolution." -- Gilbert K. Chesterton (1874-1936)
3. Scientific apparatus offers a window to knowledge, but as they grow more elaborate, scientists spend ever more time washing the windows.— Isaac Asimov (1920-1992)
4. A science teacher can use an "apparatus" (tools or instruments) to demonstrate the laws of physics.
5. Appendix may refer to documents:
Addendum is any addition to a document, such as a book or legal contract.
Bibliography is a systematic list of books and other works.
Index (publishing) is a list of words or phrases with pointers to where related material can be found in a document.
6. Success has a simple formula: do your best, and people may like it.
7. The formula of a well-known compound, water, is H₂O.
8. A Curriculum Vita (abbreviated to CV) is a brief account of a person's education and professional experience.
9. In formal education, curricula or curriculumums are the set of courses, and their content, offered at a school or university.
10. Thesis is a lengthy essay based on the original research written by the candidate for a degree.
11. The singular form of data, for example, one datum. It is rarely used, and data, its plural form, is commonly used for both singular and plural.

15. Перескажите текст, используя следующий план.

This text explains...

The words come into English in three major ways:

Firstly...

Secondly...

Thirdly...

The words can be created by...

Words have entered from...

Besides English words remained alongside the newer words...

Finally, new words are continually coming into English from...

To sum up, individuals and communities change and shape English to their needs by...

UNIT 3. LANGUAGE AS A SYSTEM OF SIGNS AND COMMUNICATIONS

1. Прочитайте однокоренные слова, определите части речи и подчеркните словообразующие суффиксы.

- 1) elaborate – elaborateness – elaboration – elaborately;
- 2) depend – dependant – dependence – dependency;
- 3) accept – acceptance – acceptable;
- 4) significance – signification – signify – significant – significantly;
- 5) convention – conventional;
- 6) communication – communicative – communicate – communicant – communicable;
- 7) access – accessory – accessibility – accessible – accession.

2. Образуйте:

а) существительные от глаголов: support, create, combine, vary;

б) наречия от прилагательных: natural, hard, late, near.

3. Переведите предложения, обращая внимание на формы и функции глаголов 'to be' и 'to have' в предложениях.

1. A language **is** not a closed system.
2. English **has** many national, ethnic and regional varieties.
3. When the Romans colonized England in the 1st century of our era, the country **was** inhabited by Celtic tribes, and until the 5th century only Celtic languages **were** spoken by the people of Britain.
4. Old English **was** the inflected system of morphological categories, especially in the noun and adjective.
5. There **are** some everyday words of Scandinavian origin, which **have been** presented in present-day Modern English.
6. More and more people **have** to use English for a practical purpose - administrative, professional or educational.
7. The problem **was** to study the history of English from Early Old English to Modern English.

4. Прочитайте а) 1-ю форму глагола; б) 2-ю форму глагола; в) 3-ю форму глагола.

spoken, signed, written, thought, had, been, become, understood, is, uses, combine, vary, change, shape, depend, are, follow, accepted, has, provide, require, be, shared, represent, embodied, exemplified.

5. Прочитайте текст и найдите в нем английские эквиваленты русским предложениям.

1. Он видоизменяется внутри языкового социума, и с течением времени, отдельные индивидуумы и языковые коллективы творчески изменяют его и приспособливают под свои нужды.
2. Языковые знаки имеют условную природу; их значение принимается группами людей, входящих в данный языковой коллектив.
3. ... невыполнение этого условия ведет либо к невозможности общения, либо к недопониманию.
4. Успешная коммуникация также требует одинаковых фоновых знаний людей, вступивших в общение.
5. Существует много различных языков, и каждый из них содержит в себе особую языковую картину мира.

TEXT

LANGUAGE AS A SYSTEM OF SIGNS AND COMMUNICATIONS

A human language is a highly elaborate system of signs which is used both for communication and to support and guide thought. It is a primary means of creative expression for individuals and groups.

At the most basic level a language uses a mode: speech sounds, graphic symbols such as letters, or gestures, as in the case of sign languages and non-verbal communication. We often combine these different modes of language with other systems of communication. For example, a ritual may combine words, images, and actions.

A language is not a closed system. It varies across the community of speakers and over time individuals and communities creatively change and shape it to their needs. As a result languages are always varying and changing, in all subsystems of the system.

Communication depends on accessing a system of signs. The signs of language follow conventions implicitly accepted by groups of people who use the language. Language also has conventions for, when and how to combine signs. Together, the signs and conventions provide a rich system of communicative choices. Successful communication requires these signs to be shared: otherwise non-communication or miscommunication results. Successful communication also requires shared knowledge and assumptions.

A language represents a vast repository of conventional understandings and cultural traditions: as such it shapes our view of the world. There are many different languages and there are also many different world views embodied by them.

6. Найдите в тексте слова, данные ниже, и подберите к ним значение, в котором они использовались в тексте.

- 1) mode – метод, форма, образ действия, мода, тональность
- 2) communication – распространение, общение между людьми, информация, связь, сообщение (мыслей), известие
- 3) creative – творческий, созидательный, способный
- 4) expression – выражение (чего-либо), выражение (оборот речи, фраза), экспрессия
- 5) individual – носитель языка, личность, особь, индивидуум
- 6) letter – буква, литера, шрифт, депеша, письмо, документ
- 7) gesture – жест (телодвижение), жест (поступок). жестикулировать
- 8) image – подобие, копия, изображение, отражение, мысленный образ, воплощение
- 9) convention – общепринятое правило, конвенция, съезд, собрание, обычай, условность

7. Подберите к английским словосочетаниям из текста русские эквиваленты.

1) highly elaborate system of signs	a) формировать наше восприятие действительности
2) community of speakers	b) языковой социум
3) primary means of expression	c) сочетать язык в его различных формах
4) speech sounds	d) важнейшее средство выражения
5) sign language	e) звуки речи
6) combine different modes of language	f) огромное хранилище общих представлений и культурных традиций
7) systems of communication	g) язык жестов
8) all subsystems of the system	h) зависеть от доступа в систему знаков
9) depend on accessing a system of signs	i) обеспечить широкий выбор коммуникативных предпочтений
10) signs of language	j) одинаковые фоновые знания и представления
11) have conventions implicitly accepted	к) способы коммуникаций
12) provide rich system of communicative choices	l) все языковые подсистемы
13) shared knowledge and assumptions	м) языковые знаки
14) vast repository of conventional understanding a cultural traditions	н) весьма сложная система знаков
15) shape our view of the world	о) иметь общепринятые правила

8. Определите, какие слова из текста описывает каждая из фраз.

1. _____ a process by which people exchange information or express their thoughts and feelings
2. _____ producing or using new and effective ideas, results, etc.
3. _____ something you say or that shows what you think or feel
4. _____ any of the signs in writing or printing that represent a speech sound
5. _____ a method or style often used in literature, art, theatre, etc. to achieve a particular effect
6. _____ a system of communication by written or spoken words
7. _____ something that you hear or what can be heard
8. _____ the structure of an object or system or the way it was formed

9. Выберите правильный вариант ответа.

1. A human language is a highly elaborate system of signs which is used for _____
 - a. communication
 - b. expression of thoughts and ideas
 - c. both
2. At the most basic level a language uses a mode: _____
 - a. non-verbal communication
 - b. speech sounds, graphic symbols
 - c. both
3. Languages are always varying and changing because _____
 - a. language is a closed system
 - b. individuals and communities creatively change and shape a language to their needs

- c. population grows
4. Successful communication requires _____
- these signs to be shared
 - shared knowledge and assumptions
 - both
5. A language represents _____
- cultural traditions
 - conventional understandings
 - both
6. The primary modes of language are _____
- images and actions
 - sounds and letters
 - thoughts and ideas

10. Согласитесь или опровергните утверждение. При ответе используйте модели.

Models: a) It is true.
b) It is false.

- A human language is a highly elaborate system of signs.
- A language is used both for communication and to support and guide thought.
- A language is a primary means of creative expression for individuals and groups.
- A language is a closed system. It doesn't vary across the community of speakers.
- Individuals and communities can't change and shape a language to their needs.
- Communication depends on the signs of language follow conventions accepted by groups of people.
- Language has conventions for, when and how to combine signs.
- A rich system of communicative choices provides the signs and conventions.
- Successful communication doesn't require shared knowledge and assumptions.
- A language shapes our view of the world.

Повторение грамматики: Порядок слов в утвердительном предложении

ПОДЛЕЖАЩЕЕ	СКАЗУЕМОЕ	ДОПОЛНЕНИЕ	ОБСТОЯТЕЛЬСТВО
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Или

ОБСТОЯТЕЛЬСТВО	ПОДЛЕЖАЩЕЕ	СКАЗУЕМОЕ	ДОПОЛНЕНИЕ
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11. Составьте утвердительные предложения из приведенных ниже слов и словосочетаний.

1. is made up of / socially shared rules / language.
2. the verbal means of communicating / speech / is.
3. to describe new situations and objects / can create / every language/ new words.
4. change / all languages / through time.
5. different types of signs / this area of study / will include.
6. have been learning / for years / we / the language.
7. your ear and your mind / during the initial period of adaptation / are adjusting to / the sounds and the rhythm of the language.
8. to make sense of the language / will be amazed at / your increasing ability / you.

12. Замените русские слова в скобках английскими эквивалентами из рамки.

- | |
|---|
| 1. to achieve 2. the register 3. audience 4. message 5. participants 6. different kinds 7. to influence
8. the distinctive language features 9. considering 10. context 11. content (2) 12. the relationship (2) |
|---|

Language itself forms an important part of any (сообщения) being conveyed and is used in different ways in (различных типах) of texts. Approaching the study and analysis of (отличительных особенностей языка) of different kinds of texts involves (рассмотрение) how language is patterned and structured within texts and (взаимосвязь) between (контекстом), and form.

All speakers and writers make decisions about the kinds of language they use. The speaker or writer and the intended (читатели и слушатели) are (участники) and their roles, (отношения) between them, as well as the degree of shared knowledge of (контекста), all have bearing on what is communicated. (Содержание) will also determine the degree of formality and (стиль речи) in which the text is communicated.

By considering the stylistic features used in spoken and written varieties of English, students can gain insight into the effect the speaker or writer is trying (достигнуть), why the speaker or writer has chosen particular stylistic features, and how the speaker or writer uses language (чтобы оказать влияние на) their respective audiences.

13. Переведите текст на русский язык письменно.

Languages may be synthetic and analytical according to their structure. In synthetic languages, such as for instance Russian, the grammatical relations between words are expressed by means on inflections.

In analytical languages, such as English, the grammatical relations between words are expressed by means of form words and word order. Analytical forms are mostly proper to verbs. An analytical verb-form consists of one or more form words, which have no lexical meaning and only express one or more of the grammatical categories of person, number, tense, aspect, voice, mood: e.g. *He **has** come; I **am** reading.*

14. Работа в парах. Составьте диалог (Профессор – Студент). Студент отвечает на вопросы профессора о том, что представляет собой язык как система знаков и сообщений.

UNIT 4. ENGLISH AS THE WORLD LANGUAGE

1. Переведите слова, образованные с помощью префиксов.

poly-

polygamy, polyglot, polygon, polygraph;

micro-

microbe, microbiology, microchip, microcomputer, microphone;

super-

superpower, superman, super-film, supernatural, super-ego, superior, supermarket;

multi-

multicultural, multifaith, multifunctional, multilingual, multinational, multimillionaire, multiplication;

cyber-

cybernetics, cyberspace, cybercafe, cybercrime, cyberforensics, cyberfraud, cyberkidnapper, cyberland, cyberterrorism.

2. Ответьте на вопросы.

1. Do people dream to have a common language for communication?
2. Can you name any language which was widely used by people from different countries for communication?
3. When and why does a language become a world language?
4. Is English a global language now? Why do you think so?

3. Прочитайте текст.

TEXT

ENGLISH AS THE WORLD LANGUAGE

A language achieves a genuinely global status when it develops a special role that is recognized in every country. This role will be most obvious in countries where large numbers of the people speak it as a first language – in the case of English, this would mean the USA, Canada, Britain, Ireland, Australia, New Zealand, South Africa, several Caribbean countries, and a scattering of other territories. However, no language has ever been spoken by mother-tongue majority in more than a dozen or so countries, so mother-tongue use by itself cannot give a language world status. To achieve such a status, a language has to be taken up by other countries around the globe. They must decide to give it a special place within their communities, even though they may have few (or no) mother-tongue speakers.

There are two main ways in which this can be done. First, the language can be made the official (or semi-official) language of a country, to be used as a medium of communication in such domains as government, the law courts, the media, and the educational system.

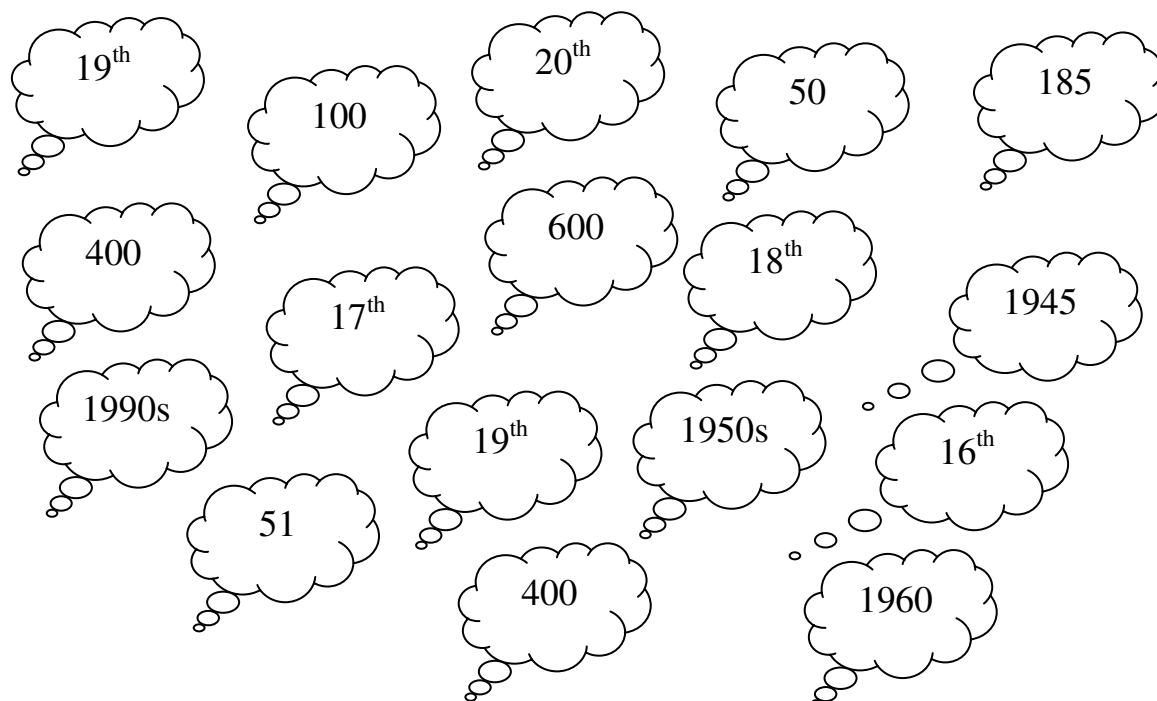
Second, the language can be made a priority in a country's foreign-language teaching. It becomes the language which children are most likely to be taught at school, and the one most available to adults who – for whatever reason – never learned it, or learned it badly, in their early educational years. Over 100 countries treat English as just a foreign language; but in most of these, it is now recognized as the chief foreign language to be taught in schools.

Those who have learned English as a first language are now estimated to be round 400 million. 400 million use English as a second language and there are 600 million who use English as a foreign language. What can account for it?

An obvious factor is the need for a Lingua Franca – a concept probably as old as language itself. But the prospect that a Lingua Franca might be needed for the whole world is something which has emerged strongly only in the 20th century, and since the 1950s in particular. Recall that the chief international forum for political communication – the United Nations – dates only from 1945, and then it had only 51 member states. By 1960 this had risen to over 80 members. But the independence movements which began at that time led to a massive increase in the number of new nations during the next decade, and this process has continued steadily into the 1990s. There are now 185 members of the UN – nearly three times as many as there were 50 years ago. The need for a Lingua Franca is obvious, and the pressure to find a single Lingua Franca is a consequence, the alternative being expensive and often impracticable multi-way translation facilities.

But why English? There is, of course, nothing intrinsically wonderful about the English language that it should have spread in this way. Its pronunciation is not simpler than that of many other languages; its grammar is no simpler – what it lacks in morphology (in cases and genders) it certainly makes up for in syntax (in word-order patterns) – and its spelling certainly isn't simpler. A language becomes a world language for one reasons only – the power of the people who speak it. But power means different things: it can mean political (military) power, technological power, economic power, cultural power. Political power, firstly, in the form of the colonialism that brought English around the world from the 16th century, so that by the 19th century, the language was one 'on which the sun never sets'. Secondly, technological power, in the sense of the industrial revolution of the 17th and 18th centuries, was very significant at the English-language event. The 19th century saw the growth in the economic power of the United States and Great Britain.

4. Найдите в тексте и объясните, что значат числа, приведенные ниже.



5. Закончите предложения в соответствии с содержанием текста.

1. A language achieves a genuinely global status when _____.

a) it develops a special role that is recognized in every country

- b) large number of people speak English as a second language
 - c) no language has ever been spoken by mother-tongue majority in more than a dozen or so countries
 - d) the USA, Canada, Britain, Ireland, Australia, New Zealand, South Africa, several Caribbean countries speak English
 - e) the language is made official (or semi-official) language of a country
2. The language is made a priority _____.
- a) in a country's foreign-language teaching
 - b) in such domains as the law courts and poetry
 - c) in linguistics, morphological structure and clause structure
3. Those who have learned English as a first language are now estimated _____.
- a) to be round 400 million
 - b) to be round 600 million
 - c) to be round 1 billion
4. A language becomes a world language because of _____.
- a) the power of the people who speak it
 - b) the need for a Lingua Franca
 - c) its pronunciation, grammar, spelling
5. The power of the people who speak English means _____.
- a) political power
 - b) technological power
 - c) economic power
 - d) cultural power
 - e) all the above mentioned

6. Выразите свое согласие/несогласие со следующими утверждениями, используя ту или иную речевые модели. Исправьте неверные утверждения.

Models: **a) I strongly agree with this statement.**
 b) I strongly disagree with it.

1. Mother-tongue use by itself can give a language world status.
2. To achieve a world status, a language has to be taken up by other countries around the globe.
3. The language can be made the official (or semi-official) language of a country, to be used as a medium of communication in such domains as government, the law courts, the media, and the educational system.
4. The language can be made a priority in a country's foreign-language teaching.
5. English is now recognized as the chief foreign language to be taught in schools.
6. An obvious factor is the need for a Lingua Franca.
7. The power of the people who speak English means athletic power.
8. In the 19th century English was one "on which the sun never sets".

7. Вернитесь к вопросам задания 2. Какую новую информацию Вы получили после прочтения текста? Используя Интернет-ресурсы, дополните и расширьте полученные сведения. Сделайте сообщение на занятии.

8. Прочитайте текст и найдите в нем английские эквиваленты русским предложениям.

1. Существует много различных причин для поездок за границу.
2. Инструкции по соблюдению безопасности на международных авиалиниях и морском транспорте, информация о чрезвычайных ситуациях в отелях и основные указатели, наряду с местными национальными языками, пишутся преимущественно на английском языке.
3. Только тогда было решено, что английский язык должен стать языком международного общения в авиации, поскольку летчики и диспетчеры говорят на разных языках.

The reasons for travelling abroad are many and various. Each journey has immediate linguistic consequences – a language has to be interpreted, learned, and imposed – and over time a travelling trend can develop into a major influence. If there is a contemporary movement towards world English use, therefore, we would expect it to be particularly noticeable in this domain. And so it is. For those whose international travel brings them into a world of package holidays, business meetings, academic conferences, international conventions, community rallies, sporting occasions, military occupations, and other ‘official’ gatherings, the domains of transportation and accommodation are chiefly mediated through the use of English as an auxiliary language. Safety instructions on international flights and sailings, information about emergency procedures in hotels, and directions to major locations are now increasingly in English alongside local languages. Most notices which tell us to fasten our seatbelts, find the lifeboat stations, or check the location of the emergence stairs give us an option in English.

A special aspect of safety is the way that the language has come to be used as a means of controlling international transport operations, especially on water and in the air. English has emerged as the international language of the sea, in the form of Essential English for International Maritime Use – often referred to as ‘Seaspeak’. Progress has also been made in recent years in devising systems of unambiguous communication between organizations which are involved in handling emergencies on the ground – notably, the fire service, the ambulance service, and the police. There is now ‘Emergencyspeak’, trying to cope with problems of ambiguity at the two ends of the Channel Tunnel. And of course there is ‘Airspeak’, the language of international aircraft control. This did not emerge until after the Second World War, when the International Civil Aviation Organization was created. Only then was it agreed that English should be the international language of aviation when pilots and controllers speak different languages. Over 180 nations have since adopted its recommendations about English terminology – though it should be noted that there is nothing mandatory about them.

9. Выберите подходящий, на Ваш взгляд, заголовок к тексту. Обоснуйте свой выбор. Начните свой ответ с одного из выражений, данных в рамке.

I think ... – я думаю	In my opinion ... – по моему мнению
I guess ... – я считаю	I feel (that) ... – я полагаю (считаю), что

1. International travel and safety.
2. Each journey has immediate linguistic consequences.
3. A contemporary movement to world English use.

10. Работа в парах. Один студент читает утверждение, второй студент соглашается или возражает ему, приводя собственные аргументы. Затем студенты меняются ролями.

1. English is a Lingua Franca.
2. English is the most important language in the world.
3. Half of the elementary school education should be in English.
4. English should be recognized as a national language in many countries.
5. English should be recognized as the official world language.
6. The world should learn either British or American English.

11. Работа в парах. Задайте своему коллеге вопрос, после его ответа поменяйтесь ролями.

1. Are you happy about English being a Lingua Franca?
2. Are you happy with your level of English?
3. Are you happy about the number of English words in your own language?
4. Should we all learn a neutral language, like Esperanto?
5. Should English be made the official world language by the United States?
6. Should English replace French at the Olympics?
7. Would you like to learn Arabic, Chinese or Spanish?
8. If you were to become poly-lingual, which other languages would you like to learn?
9. Is the spread of English a positive or dangerous thing?
10. Should subjects be taught in English in elementary schools (in addition to the native language)?
11. All in all, at the end of the day, when all is said and done, in a nutshell, what does English mean to you?

12. Прочитайте текст и замените русские слова в скобках на их английские эквиваленты.

TEXT

ENGLISH AS A WORLD LANGUAGE

Nowadays English has become the world's most important and most universal language. It is the official language in over forty countries and the most used language in (международном бизнесе), science, medicine, trade and cultural relations. Over 300 million people speak it as (на родном языке). The native speakers of English live in Great Britain, the USA, Australia and (Новой Зеландии). English is one of the official languages in the Irish Republic, Canada, and (Южно-Африканской Республике).

It is one of the (официальных языков) of the United Nations Organization and other political organizations. It is the language of world's (научной литературы) and computers technology. England's (история) helps to understand the present condition of English. Many English words were (заимствованы) from the language of Angles and Saxons. Hundreds of (французских) words came into English. Many new words were brought by traders and (путешественниками). To know the English language today is absolutely necessary for every (образованного человека), for every good specialist. English is everywhere in (нашей жизни). It is in signs, (одежде), soft drinks, and household products around the world. The names of pop groups, (компьютерного программного обеспечения), and magazines are often (написаны) in English. English words are also used as elements of magic to be included on T-shirts, (свитера), caps etc. Some think English is chic, (стильный), even when the (язык) on these designed items makes no sense. That is why in order to understand ourselves and the world around us we have to (изучать иностранные языки) and English in particular.

13. Ответьте на вопросы.

1. Has English become the world's most important language? Why?
2. How many people speak it as a mother tongue?
3. In what countries do people use English as native language?
4. Can you name any English words that have entered the Russian language?
5. What is English to you?

14. Прочитайте диалог. Расскажите о своих достижениях в области изучения иностранных языков в форме диалога.

LINGUISTIC TALENT

- Betty Why weren't you at the German class last night, Joan? Have you given up?
- Joan Well, no... I came back late yesterday and found Simon asleep in the chair. He'd been writing reports all day long and he was too worn out to go out again, so we gave the lesson a miss.
- Betty You've missed quite a lot of lessons lately, haven't you? Are you losing your enthusiasm?
- Joan Yes, I'm afraid so. Neither Simon nor I have a gift for languages. People just laugh at us when we attempt to speak German. How did you and Eric pick it up so quickly and easily? You've hardly been in Germany a month.
- Betty It was neither quick nor easy, I assure you. We'd both studied the language before we came, and we only needed to brush it up a bit.
- Joan Anyway, all our friends here speak English fluently so we don't really need to learn German.
- Betty Well, Eric and I have been both learning and teaching languages for years and we enjoy it immensely.
- Joan Well, keep it up! I'm all for teaching foreigners English, if it saves me the trouble of learning foreign languages myself.

15. Работа в парах. Составьте диалог, ответив на вопрос и выбрав варианты ответа из предложенного списка. Подтвердите Ваш выбор примерами из собственного опыта.

Which of the activities of learning English do you find the most useful?

- Practicing speaking in pairs or groups
- Doing written work of you own
- Listening to the teacher
- Listening to the cassette recorder
- Using a dictionary or a grammar book
- Reading texts / newspapers / literature
- Doing written grammar exercises



16. Работа в парах. Обсудите с коллегой шутливые предложения о «реформе английского языка». Ответьте на вопросы и выскажите свое мнение.

1. What do you like English for?

2. What are the most difficult things in the English language for you?
3. Does English need to be improved?
4. What would you like to improve in the English language?
5. Do you believe in possible reforming the English language according to the proposals given below?

EUROENGLISH

The European Commission has just announced an agreement whereby English will be the official language of the EU rather than German, which was the other possibility. As part of the negotiations, Her Majesty's govt conceded that English spelling had some room for improvement and has accepted a 5 year phase in plan that would be known as "EuroEnglish".

In the first year, "s" will replace the soft "c".. Certainly, this will make the sivil servants jump with joy. The hard "c" will be dropped in favor of the "k". This should klear up konfusion and keyboards kan have 1 less letter.

There will be growing publik enthusiasm in the sekond year, when the troublesome "ph" will be replaced with the "f". This will make words like "fotograf" 20% shorter.

In the 3rd year, publik akseptanse of the new spelling kan be expekted to reach the stage where more komplikated changes are possible.

Governments will enkorage the removal of **double letters**, which have always ben a deterrent to akurate speling.

Also, al wil agre that the horrible mes of **the silent "e"**s in the language is disgraceful, and they should go away.

By the 4th yar, peopl wil be reseptiv to steps such as replasing "th" with "z" and "w" with "v". During ze fifz year, ze unesesary "o" kan be dropd from vords kontaiining "ou" and similar changes vud of kors be aplid to ozer kombinations of leters.

After zis fifz yer, ve vil hav a reli sensibl riten styl. Zer vil be no mor trubls or difikultis and evrivun vil find it ezi tu understand ech ozer.

ZE DREM VIL FINALI KUM TRU!!!

17. Работа в парах. Прочитайте сообщения на тему «Будущее английского языка как мирового языка». Согласны ли Вы с мнением:

а) Дэвида Грэддолла – автора книги “*The future of English? A guide to forecasting the popularity of the English language in the 21st century.*”

б) профессора Дэвида Кристалла – одного из ведущих британских специалистов по этому вопросу.

Выскажите свое мнение. Ответ начните с выражений, данных в рамке.

<p>I'm sure (that) ... – Я уверен, что...</p> <p>I'm keeping an open mind for the moment – Пока у меня нет никакого мнения на этот счет...</p> <p>I strongly agree with ... – Я полностью согласен с ...</p> <p>I strongly disagree with ... – Я решительно не согласен с ...</p> <p>I think it's reasonable to believe that ... -Я думаю, что есть основания считать, что...</p>

a) It is estimated that by 2015 two billion people will start learning English around the world, and three billion people – half the planet – will be speaking it. However David Graddoll says that English will not become the Esperanto and dominate global language learning as Arabic, Chinese and Spanish are set to rise in importance. He says the trend is towards “linguistic globalization” and multi-lingualism, not bilingualism, and definitely not monolingualism. French, on the other hand, once considered a Lingua Franca, will see its status as a world language continue to slide.

Although English will escalate in popularity, English language teachers will likely be out of a job by 2050, when so many people will be able to speak English that teaching will drop by a whopping 75% from two billion to 500 million. Instead English will be taught worldwide at elementary level, and many universities across the world will choose to teach English. This suggests a wake-up call for traditionally lazy and monolingual Britons, who tend to shun language learning because of their “everyone speaks English” mentality. Brits will be left behind in a future poly-lingual world.

b) When a language becomes a world language, what happens to it? There are no precedents, because no language has ever been spoken by so many people in so many countries before. Two questions need to be briefly addressed. Will English fragment into mutually unintelligible languages, as it spreads around the world? Will English kill off other languages?

The answer to the first question is: probably no – at least, not in the foreseeable future. We have to recognize that there are now many new varieties of spoken English developing around the world, in such countries as India, Singapore, and Ghana. They have been called ‘New English’ – and it because they are so many and so widespread that I have given my talk the title it has. Why have they arisen? - Because of the need to express national identity. Put yourselves in the place of one of the newly independent nations of the 1950s and 1960s. With newfound independence comes an urge to manifest your identity in the eyes of the world. And the most convenient way of manifesting this identity is through the medium of the language you use. Many of the new countries, such as Ghana and Nigeria, found that they had no alternative but to continue using English – the alternative was to make an impossible choice between the many competing local ethnic languages – over 400 in the case of Nigeria. However, we can also appreciate their view that to continue with English would be, in the eyes of many, an unacceptable link with the colonial past. How could this dilemma be resolved? The answer was to continue with English, but to shape it to meet their own ends – adding local vocabulary.

18. Напишите краткое сочинение (12-15 предложений) на тему «Будущее английского языка». Используйте Интернет-ресурсы и другие источники. Используйте логико-грамматические лексические единицы, помещенные в рамке.

<p>thus – таким образом, итак</p> <p>therefore – поэтому</p> <p>however – тем не менее</p> <p>actually – на самом деле</p> <p>also – также</p>	<p>besides – кроме того</p> <p>to sum up – в итоге, подводя итоги</p> <p>for example – например</p> <p>firstly – во-первых</p> <p>secondly – во-вторых</p> <p>finally – наконец</p>
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UNIT 5. TEST YOURSELF

1. Прочтите текст и вставьте пропущенные слова, помещенные после текста.

English is the medium of a great deal of the world's knowledge, ___ 1___ in such areas as science and technology. And ___ 2___ to knowledge is the business of education. When we ___ 3___ why so many nations have in recent years made English an official language or ___ 4___ it as their chief foreign language in schools, one of the most important reasons is always ___ 5___ - in the broadest sense.

Since the 1960s, English ___ 6___ the normal medium of instruction in higher education for many countries – ___ 7___ several where the language has no ___ 8___. Advances courses in the Netherlands, for example, are widely ___ 9___ in English. No African country uses its indigenous language in higher education, English being used in ___ 10___ of cases. The English language teaching business ___ 11___ one of the major growth industries, around the world in the past 30 years.

especially, investigate, access, chosen, educational, has become (2), official status, including, taught, the majority.

2. Поставьте три вопроса к тексту.

1. _____
2. _____
3. _____

3. Объясните значение слов одним предложением.

- 1) a Lingua Franca _____
- 2) a mother- tongue speaker _____
- 3) a global village _____
- 4) layering _____
- 5) loanwords _____

4. Переведите на английский язык.

- 1) язык права _____
- 2) тщательно разработанный план _____
- 3) экономическая мощь _____
- 4) полуофициальный язык _____
- 5) слова, заимствованные из других языков _____

5. Переведите предложения.

1. Under Norman rule the official language in England was French.
2. Since there is no time like the present, he thought it was time to present the present.
3. I did not object to the object.

GLOSSARY

1. achieve – достигать, добиваться

- ~ one's purpose (aim) – добиваться своего (своей цели)
- ~ a status – достичь статуса (положения)

2. community – община, общество, сообщество, объединение, общность

- ~ rallies – общественные марши
- ~ of opinions – общность мнений
- ~ of race – принадлежность к одной расе
- bilingual ~ - двуязычное общество
- international ~ – международное сообщество
- religious ~ – религиозная община

3. convention – договор, соглашение, конвенция, обычай, условность

- implicitly accepted language ~s – общепринятые языковые условности (правила)
- international ~ – международная конвенция, международное соглашение
- signs and ~s – знаки и правила их применения
- conventional – обычный, привычный
- ~ understandings – привычные представления о чем-либо
- ~ crimes – традиционные (обычные) виды преступлений

4. domain – область, сфера, поле деятельности

- in the ~ of science – в области науки
- in the ~ of literature – в области литературы
- ~ of transportation and accommodation – сфера перевозок и проживания
- ~ name – домен (доменное имя)

5. increase – 1. увеличивать, вызывать увеличение, усиливать; 2. возрастание, рост

- ~ in number – увеличивать (возрастать) численно
- ~ in size – увеличиться в размере, расти
- ~ the speed – увеличивать скорость
- ~ one's knowledge – расширять свои знания
- ~ of knowledge – рост знаний
- ~ of (in) population – рост (увеличение) населения

6. language – язык, речь

- articulate ~ – членораздельная речь
- artificial (informational, logical) ~ – искусственный (информационный, логический) язык
- finger ~ – язык жестов, язык глухонемых
- literary ~ – литературный язык
- living (dead) ~ – живой (мертвый) язык
- official ~ – официальный язык
- semi-official ~ – полуофициальный язык
- spoken ~ – разговорный язык, устная речь
- the English ~ – английский язык
- written ~ – письменность, письменная речь
- ~ of science – язык науки

7. Lingua Franca – язык международного общения, общепонятный смешанный язык,

используемый людьми из разных стран

single Lingua Franca – единственный язык международного общения

mother-tongue – родной язык, праязык

8. means – средство (средства), способ (способы)

~ of communication – средство (средства) связи (сообщения)

~ of identification – средства опознания, установление личности

~ of protection – средства защиты

by means of – при помощи, посредством

by all means – любыми средствами, любым способом, любой ценой

9. particular – 1. подробность, деталь; 2. особый, особенный, специфический, исключительный, заслуживающий особого внимания

~ advantages – особые преимущества

~ case – особый случай

my own ~ sentiment – мое сугубо личное восприятие (ощущение)

in ~ - в особенности, в частности

go into ~s – вдаваться в подробности

particularly – особенно, подробно, детально

10. power – сила, мощь, энергия, могущество, власть

absolute (supreme) ~ – абсолютная (верховная) власть

economic ~ – экономическая мощь

political ~ – политическое могущество

technological ~ - техническая мощь

powers – державы, полномочия

delegation of ~s – передача полномочий

large ~s – широкие полномочия

leading ~s – ведущие державы

11. status – общественное положение, статус

diplomatic ~ – дипломатический статус

global ~ - всемирный статус

legal ~ – правовой статус

international ~ – международный статус

MODULE 2

COMMUNICATION

UNIT 1. WHAT IS COMMUNICATION?



“Communication is a process of transferring information from one entity to another” - Wikipedia

Sender is a person who sends information.

Receiver is a person who gets information.

Information can be a lot of different things depending on the context. People sometimes view information and the medium to transfer it as one and the same. They aren't. Let's distinguish between the information being sent that the medium used to send it.

The information can be: words, gestures, drawings, paintings, songs, music.

The means can be: speeches, emails, blogs, forums, text messages, voice messages, poems, essays, books, newspapers, ads, articles, and practically anything you can speak through, write on or draw on.

Effective Communication is a process where a message is received and understood by the receiver in the manner that the sender intended it to be.

1. Соотнесите рисунки с текстами, данными ниже. Определите, какой картинке не хватает текста. Вместе с партнером придумайте подходящий текст.





1.

A: Hello. I'm Mia Connors.

B: Hi, Mia. I'm David Sinclair, and this is my partner Gina Evans. (Hold out a hand to shake)

A: Nice to meet you Mr. Sinclair and Ms. Evans. Thank you for taking the time to meet with me today.

B: It's our pleasure. And please, call us David and Gina. Can I take your coat?

A: Thank you.

B: No problem. Please take a seat and we'll be right with you. I just have to make a quick phone call.

.....

2.

Leslie: Hello.

Cameron: Hi, is this Leslie?

Leslie: Yes. Who's this?

Cameron: It's Cameron here. Is Maria in?

Leslie: No, she just stepped out for a moment. Can I take a message?

Cameron: Yes, thanks. Please ask her to meet me at the Capitol 4 movie theatre at 7 pm tonight.

Leslie: Sure. Just let me write that down. Oh, Cameron, could you hold for a second? I have to take another call.

Cameron: No problem.

3.

Dear Andy:

How have you been? Your mother and I are fine. We miss you. Please sign off your computer and come downstairs for something to eat.

Love,

Dad

2. Какие виды общения изображены на рисунках В и С? Распределите данные ниже слова, описывающие процессы, изображенных на них видов коммуникации, в две колонки.

Speaking, writing, listening, reading, a formal vocabulary, a slang, an ear, full sentences, a hand, punctuation marks, a mouth, facial expression, a tone of voice, correct grammar, sentences, sentences and paragraphs, oral communication, an eye, written communication, to see, to write, to read, to listen.

ORAL COMMUNICATION	WRITTEN COMMUNICATION
1.	1.
2.	2.
3.	3.
4.	4.
5.	5.
6.	6.

3. Используя слова из каждой колонки, составьте рассказ об устном и письменном видах коммуникации.

4. Работа в парах. Составьте диалог, в ходе которого Вы знакомитесь и немного рассказываете о себе: кто вы, откуда, чем занимаетесь.

5. Прочитайте высказывания известных людей об общении, и скажите, согласны ли Вы с этими утверждениями, и, если нет, объясните почему. Начните свой ответ с одной из речевых моделей.

Models:

I think it's absolutely true because ... - Я абсолютно согласен с этим, так как ...
I can't agree with this opinion because ... – Я не могу согласиться с этим мнением, так как
To my mind – По-моему ...

1. "Two monologues do not make a dialogue."
2. "The most important thing in communication is to hear what isn't being said."
3. "When the eyes say one thing, and the tongue another, a practiced man relies on the language of the first."
4. "There cannot be greater rudeness than to interrupt another in the current of his discourse."
5. "From listening comes wisdom and from speaking, repentance." (Proverb)

6. Ответьте на вопросы.

1. Can we live without communication?
2. How can we communicate with each other?
3. In what cases do you feel the need in contacts?
4. What means of communication do you prefer to use? Why?
5. Do you like to communicate with strangers? Why?
6. Have you ever had contacts with foreigners?
7. What language do you usually speak to foreigners?
8. What rules of communication do you know?
9. What rules of communication do you follow?
10. Are rules of communication different in different countries? (Give your examples).

UNIT 2. WHAT IS INTERPERSONAL COMMUNICATION?

1. Прочитайте и переведите текст.

TEXT

INTERPERSONAL COMMUNICATION

Interpersonal communication is usually defined by communication scholars in numerous ways, usually describing participants who are dependent upon one another. It can involve one on one conversations or individuals interacting with many people within a society. It helps us understand how and why people behave and communicate in different ways to construct and negotiate a social reality. While interpersonal communication can be defined as its own area of study, it also occurs within other contexts like groups and organizations. Interpersonal communication is the process that we use to communicate our ideas, thoughts, and feelings to another person. Our interpersonal communication skills are learned behaviours that can be improved through knowledge, practice, feedback, and reflection.

Interpersonal communication includes message sending and message reception between two or more individuals. This can include all aspects of communication such as listening, persuading, asserting, non-verbal communication, and more. A primary concept of interpersonal communication looks at communicative acts when there are few individuals involved unlike areas of communication such as group interaction, where there may be a large number of individuals involved in a communicative act.

Individuals also communicate on different interpersonal levels depending on who they are engaging in communication with. For example, if an individual is communicating with a family member, that communication will more than likely differ from the type of communication used when engaged in a communicative act with a friend or a significant person.

Overall, interpersonal communication can be conducted using both direct and indirect mediums of communication such as face-to-face interaction, as well as computer-mediated-communication. Successful interpersonal communication assumes that both the message senders and the message receivers will interpret and understand the messages being sent on a level of understood meanings and implications.

2. Подберите русские эквиваленты к английским словосочетаниям из текста.

1. interpersonal communication	a. невербальное общение
2. to interact with people	b. ответная реакция и размышление
3. to communicate in different ways	c. понять значение и скрытый смысл
4. to occur within other contexts	d. межличностное общение
5. non-verbal communication	e. прямые и опосредованные средства общения
6. feedback and reflection	f. взаимодействовать с людьми
7. to be engaged in a communicative act	g. передача и прием сообщения
8. direct and indirect mediums of communication	h. общаться разными способами
9. to understand meanings and implications	i. участвовать в акте коммуникации
10. message sending and message receiving	j. возникать при других условиях

3. Выразите согласие или несогласие со следующими утверждениями, используя ту или иную речевую модель.

**Models: a) I fully agree with the statement.
b) I am afraid, I can't agree with it.**

1. Interpersonal communication can occur within different contexts.
2. Interpersonal communication is the process that we use to communicate our ideas, and feelings.
3. Interpersonal communication skills can't be improved through knowledge and practice.
4. Non-verbal communication as well as persuading is included into communication.
5. Individuals communicate on different interpersonal levels.
6. Interpersonal communication can be conducted using both face-to-face interaction and computer-mediated-communication.
7. Message receivers can not as a rule interpret and understand the messages being sent.

4. Прочитайте определения и соотнесите их со словами из рамки.

a. feedback, b. medium, c. knowledge, d. scholar, e. context, f. society, g. skill

1. Familiarity, awareness, or understanding gained through experience or study. _____
2. A group of humans broadly distinguished from other groups by mutual interests, participation in characteristic relationships, shared institutions, and a common culture. _____
3. The response within a system to an action or process. _____
4. A developed talent or ability. _____
5. Something, such as an intermediate course of action, which occupies a position or represents a condition midway between extremes. _____
6. The circumstances in which an event occurs. _____
7. A learned person. _____

5. Прочитайте текст. Переведите слова в скобках на английский язык. Озаглавьте текст.

Communication is the transmission of information such as thoughts and (*сообщения*). The basic forms of communication are by (*знаками*) and by (*звуками*). The reduction of communication to (*письменности*) was a fundamental step in the evolution of (*общества*) for, in addition to being useful in situations where (*устная речь*) is not possible; (*письменность*) permits the preservation of communications, or records, from the past. It marks the beginning of recorded history. Whereas the rise of book publishing and journalism facilitated the widespread dissemination of information, the invention of the (*телеграфа, радио, телефона и телевидения*) made possible instantaneous communication over long distances.

6. Переведите предложения на английский язык.

1. Межличностная коммуникация предполагает непосредственный контакт людей – лицом к лицу, тет-а-тет.
2. Человек ведет себя по-разному в зависимости от ситуации.
3. Общение состоит в обмене информацией между партнерами по общению, передаче и приему мнений и чувств.

4. Любое общение начинается с того, что у одного из участников коммуникации появляется желание выразить какую-либо мысль или какое-либо чувство.

5. Очень часто мы знаем, что хотим сказать, но выразить это бывает трудно.

7. Выберите подходящий, по Вашему мнению, вариант ответа и скажите, какими чувствами и мыслями обмениваются участники диалогов.

Wife If you don't hurry, we'll be late for the show.

Husband There's plenty of time. _____ **1** _____ (to complain)

Wife Plenty of time? The show starts in twenty minutes.

Husband It takes only ten minutes to get there. We can leave now.

Wife _____ **2** _____ (to express relief)

Husband _____ **3** _____ (to advise) It's bad for health to be so anxious about everything.

1. To complain

- A Why are you in a hurry?
- B It's only six o'clock.
- C I won't take long.
- D You are always so impatient.

2. To express relief

- A Good.
- B That's better.
- C Thank goodness for that!
- D It's about time!

3. To advise

- A Slow down.
- B Don't worry.
- C You must be patient.
- D You need to relax a bit more.

Valerie Why did you give money to that beggar?

Vicky _____ **1** _____ (to explain) I can't walk past, ignoring him.

Valerie You are just encouraging him to be lazy. It is a bad habit.

Vicky He looks old and sickly.

Valerie _____ **2** _____ (to agree) But there are organizations to help people like him.

Vicky And what are they doing to help him?

Valerie All right. _____ **3** _____ (to pacify)

1. To explain

- A Why shouldn't I?
- B He's always there.
- C I dislike beggars.
- D I feel sorry for him.

2. To agree

- A All right.
- B Yes, he does.
- C I believe you.
- D You may be right.

3. **To pacify**

- A Let's go.
- B Forget it.
- C Do what you like.
- D Let's not argue about it.

Aileen Doctor, I've had this rash on my skin for over a week. It has not cleared up.

Doctor _____ **1** _____ (to sympathize) Let me look at it.

Aileen _____ **2** _____ (to express anxiety) What could have caused it?

Doctor Some types of food can cause a mild allergic reaction or it could have been caused by some chemical. Have you used a different brand of cream or lotion on your skin lately?

Aileen Yes, I have. I tried a new face cream last week.

Doctor I'll prescribe some medicine. If the rash doesn't clear up, come and see me again.
_____ **3** _____ (to comfort)

Aileen Thank you.

1. **To sympathize**

- A I'm sorry.
- B I'm sorry to hear that.
- C Don't worry about it.
- D It's going to be all right.

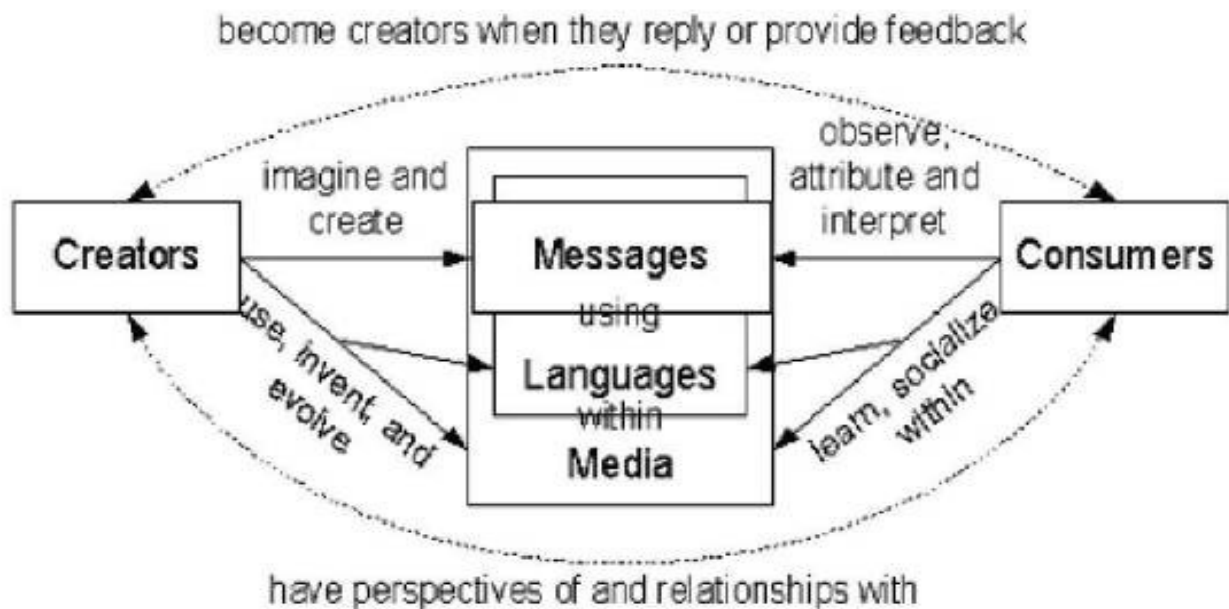
2. **To express anxiety**

- A I'm rather worried.
- B It's quite itchy.
- C Can you cure it?
- D Will it become worse?

3. **To comfort**

- A Cheer up.
- B Cheerio!
- C Good luck.
- D Take it easy.

8. Используя схему, расскажите, что Вы узнали о межличностном общении.



UNIT 3. PRINCIPLES OF INTERPERSONAL COMMUNICATION

Повторение грамматики: прилагательные и наречия. Степени сравнения.

1. Прочитайте: а) прилагательные; б) наречия; в) прилагательные с отрицательным значением. Сформулируйте правило образования наречий и назовите основные суффиксы прилагательных и наречий. Перечислите приставки прилагательных, имеющие отрицательное значение. Переведите слова на русский язык.

Interpersonal, communicative, facial, dependent, successful, inevitably, primary, inescapable, irreversible, constantly, simple, likely, inherent, alike, exactly, simply, similar, just, difficult, humorously, accurate, unlike, psychological, relational, environmental, indirect, cultural.

2. Прочитайте прилагательные и наречия, поставьте каждое из них в сравнительную и превосходную степени. Сформулируйте правило образования степеней сравнения.

- a) long, rude, simple, just;
- b) successful, dependent, different, accurate, difficult, polite, simply, properly, often;
- c) good, bad, many, much, little, far, badly, well.

3. Прочитайте английские пословицы.

- a) Определите и подчеркните формы прилагательных и наречий.
- б) Переведите пословицы на русский язык;
- в) Составьте небольшой рассказ, заглавием которого могла бы стать одна из пословиц.

1. The more laws the less justice.
2. Who knows most believes least.
3. Kind words are worth much and they cost little.
4. Little enemies and little wounds must not be despised.
5. Better to ask a question than to remain ignorant.
6. The hardest work of all is to do nothing.
7. It is better to finish something than begin.
8. Not to know is bad, not to wish to know is worse.

4. Прочитайте предложения. Подчеркните содержащиеся в них сравнительные обороты. Переведите предложения на русский язык.

1. This method is as effective as the previous one. 2. The period is twice as long as a semester. 3. Inform us as soon as possible. 4. His attempt is not as efficient as his colleague's one. 5. The more you work, the better you study. 6. The better you communicate with people, the more clients you have. 7. The more communication there is, the more difficult it is for communication to succeed. 8. I tried to express my ideas as clearly as I could. 9. The situation was not so emotionally charged as the last talk with the parents. 10. The ability to express an idea is as important as the idea itself. 11. Listening effectively is just as important as talking effectively and is a key to basic communication skills. 12. There are a lot of programs which promise instant success in public speaking. If you come across any one of them, run away as fast as you can.

5. Соотнесите русское слово с соответствующей грамматической формой этого слова на английском языке. Определите суффиксы частей речи.

1. лицевой	to face, face, facial
2. психологический	psychological, psychology, psychologist
3. юрист	law, lawful, lawyer, lawlessness
4. неизбежно	inevitable, inevitably, inevitability
5. переменная	variable, variability, vary, varied
6. теоретик	theory, theoretical, theorist
7. присущий	inherence, inherency, inherent, inherently
8. взаимодействие	interact, interacting, interaction, interactive

6. Прочитайте текст и ответьте на вопросы.

1. How do we receive communication from others?
2. Why do we say that communication is irreversible?
3. What do we usually swap?
4. Why is communication complicated?
5. What does "psychological context" mean?
6. How does cultural context affect the communication?

TEXT

FOUR PRINCIPLES OF INTERPERSONAL COMMUNICATION

These principles are basic to communication. We can't ignore them!

Interpersonal communication is inescapable.

The very attempt not to communicate communicates something. Through not only words, but through tone of voice and through gesture, posture, facial expression, etc., we constantly communicate to those around us. Through these channels, we constantly receive communication from others. Even when you sleep, you communicate. Remember a basic principle of communication in general: people are not mind readers. Another way to put this is: people judge you by your behaviour, not your intent.

Interpersonal communication is irreversible.

You can't really take back something once it has been said. The effect must inevitably remain. Despite the instructions from a judge to a jury to "disregard that last statement the witness made," the lawyer knows that it can't help but make an impression on the jury. A Russian proverb says, "Once a word goes out of your mouth, you can never swallow it again."

Interpersonal communication is complicated.

No form of communication is simple. Because of the number of variables involved, even simple requests are extremely complex. Theorists note that whenever we communicate there are really at least six "people" involved:

- 1) who you think you are;
- 2) who you think the other person is;
- 3) who you think the other person thinks you are;
- 4) who the other person thinks he /she is;
- 5) who the other person thinks you are;
- 6) who the other person thinks you think she/he is.

We don't actually swap ideas, we swap symbols that stand for ideas. This also complicates communication. Words (symbols) do not have inherent meaning; we simply use them in certain ways, and no two people use the same word exactly alike.

Osmo Wiio (a Finnish researcher in human communication) gives us some communication maxims similar to Murphy's Laws (Osmo Wiio's Laws):

- ✓ If communication can fail, it will.
- ✓ If a message can be understood in different ways, it will be understood in just that way which does the most harm.
- ✓ There is always somebody who knows better than you what you meant by your message.
- ✓ The more communication there is, the more difficult it is for communication to succeed.

These tongue-in-cheek maxims are not real principles; they simply humorously remind us of the difficulty of accurate communication.

Interpersonal communication is contextual.

In other words, communication does not happen in isolation. There is:

- ✓ *Psychological context*, which is who you are and what you bring to the interaction. Your needs, desires, values, personality, etc., all form the psychological context. ("You" here refers to both participants in the interaction).

- ✓ *Relational context*, which concerns your reactions to the other person - the "mix."
- ✓ *Situational context* deals with the psycho-social "where" you are communicating. An interaction that takes place in a classroom will be very different from one that takes place in a bar.
- ✓ *Environmental context* deals with the physical "where" you are communicating. Furniture, location, noise level, temperature, season, time of day, all are examples of factors in the environmental context.
- ✓ *Cultural context* includes all the learned behaviours and rules that affect the interaction. If you come from a culture (foreign or within your own country) where it is considered rude to make long, direct eye contact, you will out of politeness avoid eye contact. If the other person comes from a culture where long, direct eye contact signals trustworthiness, then we have in the cultural context a basis for misunderstanding.

7. Закончите предложения в соответствии с содержанием текста.

1. Remember a basic principle of communication: _____
 - a. be polite with others
 - b. listen to people attentively
 - c. people are not mind readers.

2. Interpersonal communication is irreversible according to the proverb: _____
 - a. "Look before you leap"
 - b. "Once a word goes out of your mouth, you can never swallow it again"
 - c. "Soft words win hard hearts".

3. There is no form of simple communication because _____
 - a. we exchange ideas
 - b. we swap feelings and ideas
 - c. we swap symbols that stand for ideas.

4. A tongue-in-cheek maxim is _____
 - a. a real principle of communication
 - b. humorous reminding of the difficulty of accurate communication
 - c. the fact that if communication can fail, it will.

5. All the learned behaviours and rules that affect the interaction are considered as _____
 - a. cultural context of communication
 - b. psychological context of communication
 - c. situational context of communication.

6. Noise level, temperature, season, time of day are examples of factors in _____
 - a. situational context of communication
 - b. environmental context of communication
 - c. psychological context of communication.

8. Соотнесите слово и его определение. Переведите слова на русский язык.

Inescapable, irreversible, complicated, contextual, inevitably, involved, inherent, interaction

1. Impossible to avoid. _____
2. The quality, state or process of (two or more things) acting on each other. _____
3. Not easy to understand or analyze. _____

4. Connected by participation or association. _____
5. Incapable of being returned to the original state. _____
6. Involving in the circumstances in which an event occurs. _____
7. Invariably occurring or appearing. _____
8. Existing as an essential constituent or characteristic. _____

9. Работа в парах. Выступите в качестве психолога. Ответьте на вопросы теста и поменяйтесь листочками с ответами с партнером.

- а) Первая ситуация (А) уже оценена профессиональным психологом, воспользуйтесь ею как подсказкой и сделайте аналогичный анализ с ситуациями, данными ниже.**
- б) Сравните свои коммуникативные умения с умениями партнера по позициям ситуаций (В), данные в таблице, используя сравнительные обороты (as ...as...; more (less) ... than...; as twice ... as; not so ...as). Представьте составленный сравнительный анализ в аудитории.**

Communicative skills	The partner	I (myself)
communicative		
understand the body language well		
listen effectively		
express feelings easily		
express thoughts and ideas clearly		
well-skilled		

A

1. When I first meet someone, _____

A) I wait for the other person to make the introduction first.

B) I introduce myself with a smile and offer a handshake.

C) I hug (обнимать) the person.

Answer:

Best answer: B. It's good to initiate the introduction and introduce yourself with a handshake and smile. If shaking hands is difficult, a quick head nod is a good substitute. Initiating the introduction with a smile and handshake (or head nod) helps build rapport.

By looking at the answers A and C, you can deduce a few self evident realities.

A represents a conservative culture where it might be customary to let the other person speak first, as a matter of respect.

C May not be an appropriate especially if the other person is a tight lipped Brit. This is one of the main reasons why everyone should move beyond the movie stereotypes and actively engage in developing their interpersonal communication skills.

B

1. When I talk to someone, I put myself in his or her shoes.

- A. I do it every time.
- B. I sometimes do it.
- C. I never do it.

2. When talking to people, I pay attention to their body language (e.g. facial expression, hand movement, etc.).

- A. I do it every time.
- B. I sometimes do it.
- C. I never do it.

3. When I know what someone is going to say, I finish the sentence for him or her.

- A. I do it every time.
- B. I sometimes do it.
- C. I never do it.

4. Emotionally charged situations make me uncomfortable.

- A. Every time.
- B. Sometimes.
- C. Never.

5. I have difficulty putting my thoughts into words.

- A. Every time.
- B. Sometimes.
- C. Never.

10. Кратко передайте содержание текста на английском языке.

Любое общение начинается с того, что у одного из участников коммуникации появляется желание выразить какую-либо мысль или какое-либо чувство. Так возникает смысл посылаемого другому человеку сообщения. Огромную роль в процессе взаимодействия играет развитие навыков коммуникативной компетентности.

Составляющие коммуникативной компетентности личности:

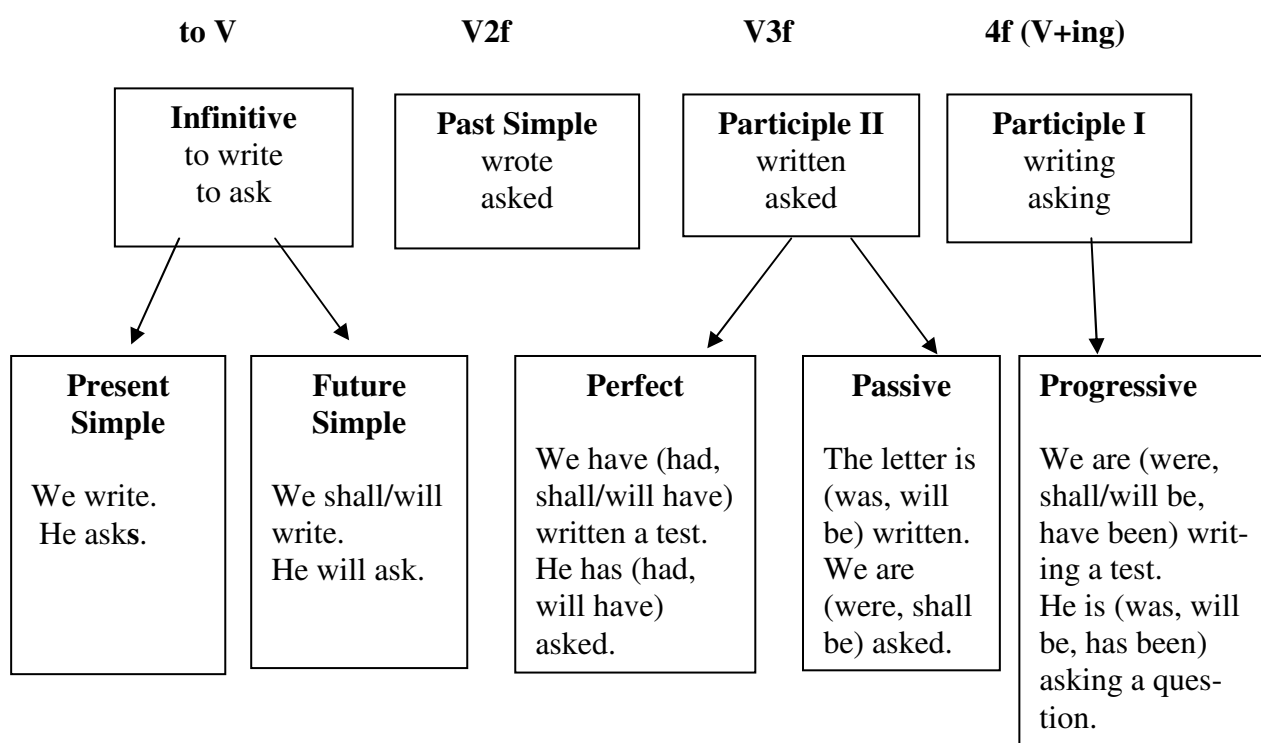
1. Знание норм и правил общения (делового, повседневного, праздничного);
2. Высокий уровень речевого развития, позволяющий человеку в процессе общения свободно передавать и воспринимать информацию;
3. Понимание невербального языка общения;
4. Умение вступать в контакт с людьми с учетом их половых, возрастных, социально-культурных и статусных характеристик;
5. Умение вести себя адекватно ситуации и управлять ею;
6. Умение воздействовать на собеседника (навыки аргументации и убеждений);
7. Способность правильно определить собеседника как личность, как потенциального конкурента или партнера, и, в зависимости от этого, выбрать дальнейшую коммуникативную стратегию;
8. Способность вызвать у собеседника положительное восприятие собственной личности.

11. Работа в парах. Выберите типичную ситуацию бытового общения (Родитель – сын/дочь; пассажир – водитель автобуса; прохожие на улице; приятели и т.п.). Подготовьте диалог, учитывая нормы межличностного общения, изученные Вами в данном разделе, и разыграйте диалог в аудитории. Другие пары оценивают уровень вашего умения общаться.

UNIT4. WHAT IS TELEPHONING?

Повторение грамматики: глагол, формы глагола, система времен английских глаголов. Повелительное наклонение.

ФОРМЫ ГЛАГОЛА



1. Прочитайте а) 1-ю форму глагола; б) 2-ю форму глагола; 3) 3-ю форму глагола.

do, did, done, refer, referred, transmit, is, arise, arose, arisen, have, had, has, resolves, set, was, were, are, speak, spoke, spoken, hold, held, become, became, dial, make, made, build, built, come, came, began, begun, begin, flowed, flow .

2. Прочитайте только те слова и словосочетания, которые могут выступить в качестве сказуемого предложения, и переводите их на русский язык.

receives, around the world, separated, will consider, may be part of, has adapted, used, a portable handset, recognize, have entered, will build, is going to dispute, to alert, had connected, became, to speak, reproduce, remains, is coming in, clarified, confusing, is to allow, hoped to resolve, can be used.

3. Прочитайте усеченные конструкции, где: а) глагол стоит в форме действительного залога; б) глагол стоит в форме страдательного залога.

... is widely recognized; a call is coming in ...; ... are usually built; which communicates by radio; ... is connected by a pair of wires; ... has been adapted to many languages; receives sound; ... still remains; ... were not clarified by ...; did pioneering experimental work; ... has a portable handset; has long been considered; ... is widely recognized; which reproduces the voice; ... hoped to resolve the patent claims.

4. Определите, в каком предложении слово “telephone” выступает в качестве сказуемого предложения.

1. Telephones are a point-to-point communication system. 2. Older phones have a telephone dial. 3. A caller is the person who telephones. 4. If the telephone rings in English, don't be afraid to answer it!

5. Прочитайте предложение и определите, функции каких членов предложения выполняет слово “telephone”.

All **telephones** have a microphone to speak into, an earphone which reproduces the voice of the other person, a ringer which makes a sound to alert the owner when a call is coming in, and a keypad (or in older phones a **telephone** dial) to enter the **telephone** number of the **telephone** being called.

6. Прочитайте предложения и определите, в каком наклонении стоят глаголы. Переведите предложения на русский язык.

1. Speak slowly and clearly. 2. Don't pretend to understand everything you hear over the telephone. 3. Learn the appropriate expressions that English speakers use when they don't hear something properly. 4. Don't be afraid to remind the person to slow down more than once. 5. Keep your telephone in an area that is away from other noise distractions such as a radio or television. 6. Take the time to learn how to answer the phone and say goodbye in a polite manner, as well as all the various ways one can start and end a conversation casually. 7. Practise saying dates and numbers aloud.

7. Прочитайте текст и поставьте глаголы в скобках в правильную форму.

ALEXANDER GRAHAM BELL - BRIEF BIOGRAPHY

Born on March 3, 1847 in Edinburgh, Scotland, Alexander Graham Bell (to be) the son and grandson of authorities in elocution and the correction of speech. Educated to pursue a career in the same specialty, his knowledge of the nature of sound (to lead) him not only to teach the deaf, but also to invent the telephone.

In the 1870s, two inventors Elisha Gray and Alexander Graham Bell both independently (to design) devices that could transmit speech electrically (*the telephone*). Both men (to rush) their

respective designs to the patent office within hours of each other, Alexander Graham Bell (to patent) his telephone first. Elisha Gray and Alexander Graham Bell (to enter) into a famous legal battle over the invention of the telephone, which Bell (to win).

Alexander Graham Bell's notebook entry of 10 March 1876 (to describe) his successful experiment with the telephone. Speaking through the instrument to his assistant, Thomas A. Watson, in the next room, Bell (to utter) these famous first words, "Mr. Watson -- come here -- I want to see you."

8. Прочитайте текст.

TEXT

TELEPHONE INFORMATION

The **telephone** (from the Greek: τῆλε, *tēle*, "far" and φωνή, *phōnē*, "voice"), often colloquially referred to as a **phone**, is a telecommunications device that transmits and receives sound, most commonly the human voice. Telephones are a point-to-point communication system whose most basic function is to allow two people separated by large distances to talk to each other. It is one of the most common appliances in the developed world, and has long been considered indispensable to businesses, households and governments. The word "telephone" has been adapted to many languages and is widely recognized around the world.

All telephones have a microphone to speak into, an earphone which reproduces the voice of the other person, a ringer which makes a sound to alert the owner when a call is coming in, and a keypad (or in older phones a telephone dial) to enter the telephone number of the telephone being called. The microphone and earphone are usually built into a handset which is held up to the face to talk. The keypad may be part of the handset or of a base unit to which the handset would be connected. A landline telephone is connected by a pair of wires to the telephone network, while a mobile phone or cell phone is portable and communicates with the telephone network by radio. A cordless telephone has a portable handset which communicates by radio with a base station connected by wire to the telephone network, and can only be used within a limited range of the base station.

The early history of the telephone became and still remains a confusing morass of claims and counterclaims, which were not clarified by the large number of lawsuits that hoped to resolve the patent claims of many individuals and commercial competitors. The Bell and Edison patents, however, were forensically victorious and commercially decisive. Credit for the invention of the electric telephone is frequently disputed, and new controversies over the issue have arisen from time to time. As with other great inventions such as radio, television, the light bulb, and the computer, there were several inventors who did pioneering experimental work on voice transmission over a wire and improved on each other's ideas. Innocenzo Manzetti, Antonio Meucci, Johann Philipp Reis, Elisha Gray, Alexander Graham Bell, and Thomas Edison, among others, have all been credited with pioneering work on the telephone. An undisputed fact is that Alexander Graham Bell was the first to be awarded a patent for the electric telephone by the United States Patent and Trademark Office (USPTO) in March 1876. That first patent by Bell was the master patent of the telephone, from which all other patents for electric telephone devices flowed.

9. Ответьте на вопросы.

1. What is a telephone?
2. What is the basic function of the phone?
3. What does it consist of?

4. What is the difference between landline telephones and mobile phones?
5. Is a mobile phone the same as a cordless telephone?
6. What have you learned about the history of the telephone?
7. Why is invention of the electric telephone frequently disputed?
8. What fact is considered undisputed?

10. Найдите лишнее слово.

1. appliance, device, apparatus, design, machine
2. radio, television, telephone, computer, forum
3. keypad, dial, number, microphone, earphone, ringer
4. mobile, forensic, cordless, landline, portable, cell
5. lawsuits, patents, counterclaims, controversies, claims.

11. Составьте усеченные конструкции со словами, данными в таблице по модели.

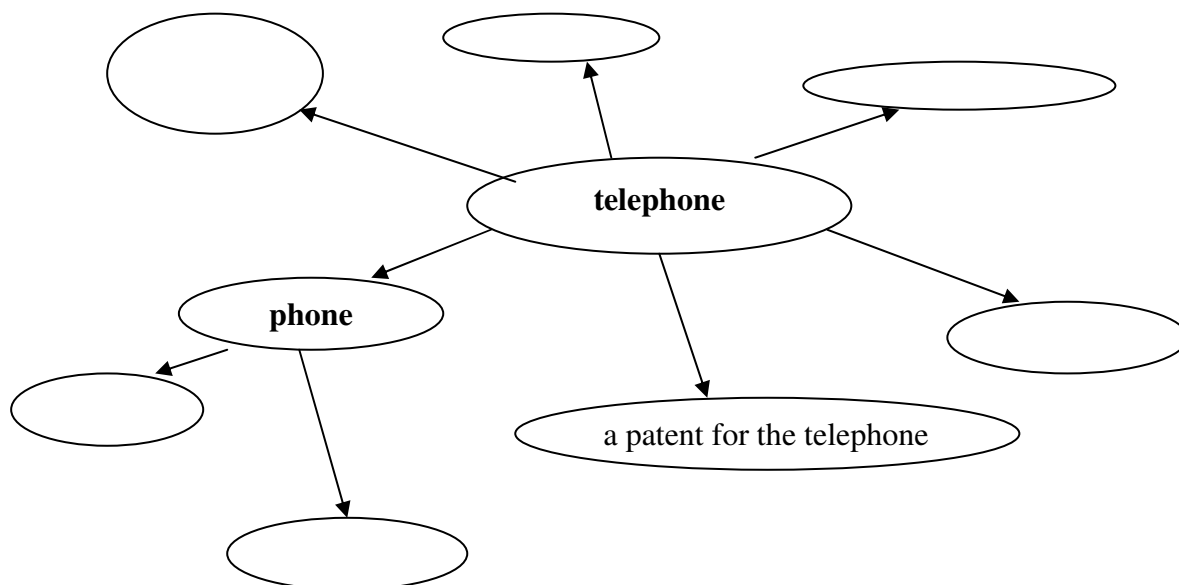
- a) Поставьте глаголы в действительный и страдательный залог там, где это возможно.
- б) Придумайте пять предложений с получившимися конструкциями.

Model: A telephone connects ...

A telephone is connected

<p>A telephone A microphone An earphone A ringer A handset</p>	<p>to use to invent to consider to reproduce to speak into to improve to receive to make a sound to connect</p>
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12. Работа в парах. Посмотрите на схему. Вспомните текст. Какие ассоциации у вас возникают со словом «телефон»? Составьте словосочетания. Расскажите партнеру, что вы узнали о телефоне.



13. Прочитайте памятку о правилах чтения телефонных номеров по-английски.

GIVING NUMBERS.

Here's a phone number: 0171 222 3344

And here's how to say it:

"Oh-one-seven-one, triple two, double three, double four."

OR

"Zero-one-seven-one, triple two, double three, double four."

Pausing

When you say a seven digit number, separate the number into two blocks of three and four, pausing after each block,

Each digit is spoken separately, unless it's a double or triple. If the second part of the number was '5555', you'll probably find it easier to say 'double five – double five'.

14. Работа в парах. Прочитайте диалог, обращая особое внимание на чтение числительных. Продиктуйте номер своего мобильного или домашнего телефона.

Caller 1: Hello, this is Jane.

Caller 2: Hello, this is Ken. May I speak to Andy?

Caller 1: I'm afraid Andy isn't in at the moment.

Caller 2: Could you take a message?

Caller 1: Sure, just a moment let me get a pencil... OK.

Caller 2: Great. Can you tell Andy that we're meeting tomorrow at three o'clock.

Caller 1: OK ... three o'clock meeting with Ken. Does he know where the meeting is?

Caller 2: Tell him we'll be meeting in the corner office downtown.

Caller 1: Yes, corner office downtown. Is there anything else?

Caller 2: I'll leave my telephone number just in case he doesn't have it.

Caller 1: OK, I'm ready.

Caller 2: Yes, my cell phone number is 439 908 7754.

Caller 1: That's 439 808 7754.

Caller 2: No, it's 439 908 7754.

Caller 1: Ah, sorry.

Caller 2: No problem. Thanks for your help.

Caller 1: I'll make sure Andy sees this as soon as he gets in tonight.

Caller 2: Thank you. Good bye.

15. Поставьте артикли и местоимения: a/ the/ some/ any/ my/ your/ his.

1. Please leave a message after _____ tone.
2. He can reach me on _____ mobile.
3. I am available for interview at _____ time.
4. Sorry to phone you during _____ lunch break.
5. Please leave _____ message after the tone.
6. Sorry to phone you at _____ end of the day.
7. Could you slow down _____ little, please?
8. I need to speak to someone about _____ mobile phone bill.
9. Okay. I've found _____ pen now. Please go ahead.
10. I'm afraid he's on _____ lunch break.

16. Работа в парах. Прочитайте диалог, выберите соответствующие контексту реплики из скобок. Сядьте с партнером спина к спине и разыграйте телефонный разговор по памяти.

MAKING AN APPOINTMENT

Receptionist: Thank you for phoning Maple Dental Clinic. Sylvia (speaks, speaking, calls).
How can I help you?

Thelma: Hi, Sylvia. (This be, It's, I am) Thelma Woods calling. How are you today?

Receptionist: I'm fine Mrs. Woods. How are you?

Thelma: Well, actually, I have a bit of a sore tooth. I hope Dr. Morris will have some time to see me this week.

Receptionist: I'm (afraid, scared, worried) he's booked this week. I can put you in for 2 pm

next Tuesday. How does that sound?

Thelma: That would be great.

Receptionist: I'll have to give you the address of our new office.

Thelma: Oh, that's right, you moved.

Receptionist: Yes, we moved downtown. Do you have (a pen handy, the handy pen, the available pen)?

Thelma: Could you hold on a (buzz, moment, time) please. ...Okay, go ahead Sylvia.

Receptionist: Okay, we are at 723 Baltic Avenue. Suite 004.

Thelma: (If I could, Please can you, Would you mind) spelling that for me?

Receptionist: Sure. That's seven-twenty-three Baltic—B (for Bear, as if Brave, as in Bravo) A as in Alpha, L as in Lima, T as in tango, I as in India, and C as in Charlie. And it's suite zero zero four.

Thelma: Okay great. I'll see you on Tuesday then.

Receptionist: Okay. (Great for, Pleased to, Thanks for) calling. See you then.

Thelma: Thanks. Bye.

17. Поставьте соответствующую реплику, чтобы получился микродиалог по телефону.

1. _____ Hey, George. It's Lisa calling.
2. _____ Can I talk to your sister?
3. _____ Alice speaking.
4. _____ One moment please.
5. _____ Can you call me back? I think we have a bad connection.
6. _____ Hold on, please. I'll see if he is available.
7. Your voice is ever so faint. _____
8. I'm calling to invite you to the cinema. _____
9. May I speak to Mary, please? _____
10. Sammy's not in. Who's this? _____

18. Работа в парах. Поговорите по телефону на одну из заданных ниже тем. Выберите из списка реплики, которые соответствуют теме вашего разговора.

1. Call up the Fine Arts Museum and ask about the admission days, hours and address.
4. You want to invite your friend to your birthday party. Call him/her up.
5. You want to speak to your friend. She/he is out. Leave a message.
6. You dialed a wrong number. Apologize.

Could I speak to _____, please?

He's away on a business trip.

This is _____.

How are things?
Hi _____. I'm just calling to _____.
It's _____ here from _____.
Can I speak to someone in _____.
Can you put me through to _____, please?
I keep on getting an engaged tone. I think he _____.
I am free on _____, if that is convenient to you.
He's not available at the moment.
Hold on, I'll just get a pen and paper.
Can you speak up please? It's a bit noisy here.
Hold on a second while I get a pen.
Sorry, it's a bad line.
Would you like to speak to _____ secretary instead?
Could you give me _____ more details?
Thank you for calling.
Hello, this is _____ calling. Bye.
Speaking.
Is _____ in?
Hang on one second.
Could you please repeat that?
Would you mind spelling that for me?
Can you speak a little slower, please. My English isn't very strong.
Can you call me back? I think we have a bad connection.
I'm sorry, Lisa's not here at the moment. Can I ask who's calling?
I'll talk to you again soon. Bye.
My number is 222-3456.

19. Прочитайте текст.

TEXT

THE EARLY DAYS OF TELEPHONE

After Jerome K. Jerome

I think the telephone is really a good thing. All people say it is. But perhaps I don't know how to use it. I once lived in a room with a telephone and I must say it was a very hard life for me.

Suppose you want to see a man who lives near your house. You can put on your hat and go over to his house. But you look at the telephone. You think it is better to phone him before you go. You ring up many times, but you get no answer. You get very angry and sit down to write a letter to the Company. You want to ask why their girls don't answer you. But then you ring up once more and this time you get an answer. You shout:

"Why don't you answer? I have rung twenty times in the last half hour." (It is not quite so. You have rung only six times but you are very angry.) "I shall write to the Company. I cannot get an answer when I ring." You have finished. Now you wait for the answer. In some minutes it comes from very, very far away.

"What — what do you say? I can't hear what you say."

"I say I have rung twenty times and I cannot get any answer. I shall write about it to the Company."

"You want what? What number?"

"I don't ask any number. I say, 'Why don't you answer when I ring?'"

"Eight hundred and what?"

You cannot repeat your question once more, so you say you want number four-five-seven-six.

"Four-nine-seven-six?" says the girl.

"No; four-five-seven-six."

"Did you say seven-six or six-seven?"

"Six-seven — no. I say seven-six, no — wait a minute. I don't know what I want now .. ."

"Well, you must know," says the young lady. "I cannot wait here all the morning."

So you find the number in the book again, repeat it, and then she tells you that you are in connection. Then you stand waiting for some time.

"Are you there?" you cry many times, and then—oh, how glad you are! — you hear:

"Yes; what is it?"

"Oh; are you four-five-seven-six?"

"What? Who are you?"

"Eight-one-nine, Jones."

"Bones?"

"No, Jones. Are you four-five-seven-six?"

"Yes; what is it?"

"Is Mr Williamson at home?"

"Will I what — who are you?"

"Jones! Is Mr Williamson at home? Will-i-am-son!"

"You are the son of what? I can't hear what you say."

When he understands that you wish to know if Williamson is at home he says — or so you think — "Will be at home all the morning."

So you take your hat and go to his house.

"I've come to see Mr Williamson," you say.

"Very sorry, Sir," is the answer, "but he is not at home."

"Not at home? But you've just said to me over the telephone, 'He will be at home all the morning.'"

"No, it was: 'He will not be at home all the morning.'"

You go back to your room, sit down before the telephone and look at it. What can you do? Nothing.

20. Ответьте на вопросы.

1. Did the storyteller think the telephone was a good thing or did he think it made life harder?
2. What was it the storyteller wanted to write to the Company about?
3. Why did he have to look for the number in the book again?
4. What did the person at Williamson's house hear when the storyteller said over the phone 'Jones' and later 'Will-i-am-son'?
5. How did it happen that Jones went to Williamson's house and didn't find him at home?
6. Do you think the telephone in its early days was a convenience?
7. Is it a convenience now?

21. Работа в парах. Обсудите с партнером, с какими проблемами сталкивались люди на заре развития телефонной связи и какие проблемы испытываем мы в настоящее время. Расскажите о своих выводах в аудитории. Воспользуйтесь речевыми моделями.

In my opinion – По моему мнению

On the one hand – С одной стороны

On the other hand – С другой стороны

It goes without saying – Само собой разумеется

All is well that ends well – Все хорошо, что хорошо кончается

That's all there is to it – Вот и все, что можно сказать по этому поводу.

UNIT 5. TEST YOURSELF

1. Прочитайте текст и поставьте в текст пропущенные слова.

In recent years instant messaging has become a standard form of communication for many people. This communication technique is typically linked with many social networking websites. Short messaging service (SMS) is a form of instant __1__ that is available through most __2__ providers. The SMS __3__ is a special shorthand slang language that is used by the instant messaging community.

The SMS language is vast communication shorthand that contains hundreds of phrases. There are several online __4__ and directories that outline the complete list of these phrases. These dictionaries are freely available to individuals and provide the necessary information to correctly format SMS messages.

Most of the SMS language can be typed in fewer than six letters. This makes it easier to enter __5__ on a cell phone. Much of the format is based on the first letter of each __6__ within a phrase, but some words are also represented with numbers. An example of a simple text message is OBE, which stands for overcome by events. The number 411 is the number shorthand for information.

Text messaging has become a dangerous __7__ for drivers because many people are manipulating the SMS language while they drive. Many states have passed __8__ prohibiting text messaging while operating a motor vehicle. This is typically considered reckless driving and should be avoided.

problem, language, cell phone, message, information, dictionaries, laws, word

2. Озаглавьте текст.

1. SMS writing.
2. SMS sending.
3. The SMS language.
4. The role of SMS in modern communication.

3. Определите, какие утверждения соответствуют содержанию текста, а какие нет (true and false).

1. The SMS language is communication shorthand that contains a limited number of standard phrases.
2. Everybody can find this list of phrases in any dictionary.
3. The SMS format is based on the first letter of each word within a phrase.
4. Almost all words are represented with numbers.
5. Text messaging has become a dangerous problem for ladies having long nails.

4. Решите кроссворд.

1. The exchange of thoughts, messages, or information, as by speech, signals, writing, or behaviour.

2. Existing as an essential constituent or characteristic.
3. Impossible to avoid.
4. Worthy of belief, as because of faithfulness to an original.
5. The actions or reactions of a person in response to external or internal actions.
6. To involve.
7. Existing or occurring between individuals.

Hidden vertical word: a usually short communication transmitted by words, signals, or other means from one person, or group to another.

c													
i													
i													
t													
b													
	e												
i													

5. Telephone Quiz.

1. When you pick up the phone to call someone you hear a ____
 - a) ringer
 - b) dial tone
 - c) receiver

2. If I'm not home leave a message on my _____ machine.
 - a) directory
 - b) answering
 - c) dial

3. Sally must be talking to her mom because I have been getting a _____ for two hours.
 - a) answer
 - b) chat
 - c) busy signal

4. I never answer my _____ while I'm driving.

- a) cordless
- b) cell phone
- c) pay phone

5. Mark always turns his _____ off when he is studying.

- a) ringer
- b) other line
- c) call display

6. I'm busy right now. Can you _____ later.

- a) hang up
- b) call back
- c) answer

7. You have to _____ "0" for the operator.

- a) telephone
- b) hang up
- c) dial

8. I have a _____ so I can do the dishes and chat at the same time.

- a) receiver
- b) busy signal
- c) cordless telephone

9. You will need a quarter or a phone card if you want to use the _____ .

- a) cell phone
- b) pay phone
- c) pager

10. I know it was my boyfriend who called because I have _____.

- a) dial tone
- b) call display
- c) directory

GLOSSARY

1. behaviour – поведение, манеры

learned ~s - привычные манеры поведения

behave – вести себя, поступать;

~ (well, badly) - поступать хорошо, плохо;

behave yourself – веди себя хорошо!

2. communication – коммуникация, связь, сообщение

areas of ~ - сферы общения

computer-mediated-communication – коммуникация, осуществляемая посредством компьютера

interpersonal ~ - межличностное общение

means of ~ - средства связи

non-verbal ~ - невербальное общение

~ system - система передачи информации

conduct ~ - осуществлять связь, вести общение

be engaged in ~ - участвовать в акте коммуникации
miscommunication – недопонимание, неверное понимание
communicate – сообщить, передавать;
~ to smb – сообщить кому-либо;
~ with smb – общаться с кем-либо;
~ by telephone – общаться по телефону
communicative – 1) общительный, разговорчивый; 2) коммуникативный, коммуникационный
~ act – акт коммуникации

3. implication - скрытый смысл, значение

by ~ - по смыслу
implicate – заключать в себе (намек), подразумевать

4. intent – 1) намерение, цель, 2) значение, смысл unintentionally - непреднамеренно

5. interaction – взаимодействие, воздействие друг на друга

face to face ~ - общение с глазу на глаз (один на один)
group ~ – взаимоотношения в группе
interactive – взаимодействующий, интерактивный

6. interpretation – 1) толкование, объяснение; 2) перевод (устный)

interpret – 1) толковать, интерпретировать; 2) раскрывать замысел, содержание

7. invention – изобретение, открытие

inventor – изобретатель
invent – изобретать, создавать

8. medium – средство, способ, путь

~ of communication – средство связи
mass media – средства массовой информации

9. message – сообщение, послание

leave a ~ – оставлять сообщение (по телефону)
receive a ~ – получать сообщение
send a ~ – отправлять сообщение
instant messaging – моментальная отправка сообщений
short messaging service (SMS) – текстовая информация, отправляемая по телефону

10. reflection – 1) размышление, раздумье; 2) отображение, изображение; 3) тень, пятно

reflections (pl) – мысли, соображения, замечания
collection of old saws, proverbs and reflections – собрание старинных поговорок, пословиц и изречений
reflect – воспроизводить изображение, отображать
reflect on (upon) – 1) размышлять, раздумывать; 2) бросать тень, вызывать сомнения

MODULE 3

CROSS-CULTURAL COMMUNICATION

UNIT 1. TRADITIONS AND CELEBRATIONS



Remember about the dates!

When writing you should be careful with dates. In British English they write the day first, but in American English, they write the month first. This means that 12.06.2012 is the twelfth of June in Britain, but in the United States it is the sixth of December. So, it's better to write the date like this 12 June 2012 to avoid misunderstanding. Remember to use a capital letter for the month.

1. Напишите следующие даты.

1. 6.11.08 (UK)
2. 09.07.06 (US)
3. 21.01.07
4. 04.08.02 (US)
5. 12.12. 2009
6. 23.03. 2011

2. Прочитайте названия национальных праздников. Вспомните, когда и в каких странах они отмечаются. Заполните таблицу.

A) New Year Day, St. Valentine's Day, Easter, Halloween, Thanksgiving Day, Christmas, International Women's Day, the Victory Day, Independence Day, Boxing Day, National Unity Day, Day of Fatherland Defender

B) October 31st, December 25th, January 1st, 14th of February, 25th of December, the fourth Thursday of November, 26th of December, July 4th, 23rd of February, 8th of March, 9th of May, 4th of November, 12th of June, 7th of January.

country	holiday	date
RUSSIA		
GREAT BRITAIN		
THE USA		

3. Ответьте на вопросы.

1. What holidays are celebrated in Russia?
2. What holidays are celebrated in the USA?
3. What holidays are celebrated in Great Britain?
4. What Russian traditions of observing holidays do you know?
5. What customs of New Year's Eve celebration in different countries do you know?
6. What holidays do you observe?
7. Do you prefer to celebrate holidays with your family or with your friends?
8. Do you prefer to celebrate holidays at home or in some public place? How do you usually do it?
9. What is your favorite holiday? Why?

4. Прочитайте диалог и расскажите, что нового Вы узнали о том, какие праздники и как отмечаются в разных странах.

(Jerry and Fei are comparing Christmas customs in New York and Beijing).

Jerry: Look, Fei! I got a Christmas card from my sister.

Fei: It's very beautiful. Why are the words "Happy Holidays" written on the card? Christmas is only one holiday. Shouldn't it be "Happy Holiday", without the "s"?

Jerry: We don't just celebrate Christmas during this season. We also celebrate the coming of the New Year.

Fei: Oh, I never thought about that before. There's more than one holiday at the end of the year.

Jerry: Now that I'm in China, I want to celebrate the holidays Chinese-style. What do you and your family do for Christmas?

Fei: Actually, we don't do much at Christmas. It's not really a big family holiday. Young people in China would rather spend Christmas Eve with their boyfriends or girlfriends.

Jerry: I see. How about the New Year in China? Is it a bigger holiday than Christmas?

Fei: Not really. We don't celebrate it because the Spring Festival is much more important to us here in China.

Jerry: The Spring Festival is known around the world as "Chinese New Year". It's the beginning of the year according to the traditional lunar calendar, isn't it?

Fei: That's right. The Spring Festival is the biggest family holiday in China, so we don't celebrate the western New Year. How about it in New York? Do people celebrate New Year's Eve more or New Year's Day?

Jerry: There are two kinds of people who celebrate quite differently. Single people, or couples without children, often go out late on New Year's Eve. They drink and party after the clock strikes midnight. There are big parties all over, but the biggest is in Times Square in Manhattan.

Fei: I guess they won't have much energy left over to do anything on New Year's Day, then.

Jerry: Right. But there are families who don't do anything special on New Year's Eve. Instead, they celebrate with their families on New Year's Day.

Fei: What do they do on New Year's Day?

Jerry: They have a big meal to celebrate and often watch parades in the big cities. The parades are quite spectacular.

Fei: It sounds a little bit like our traditional Lion Dance.

Jerry: Yes, it's a lot like the Lion Dance, except there is no lion!

5. Выучите формулы поздравления.

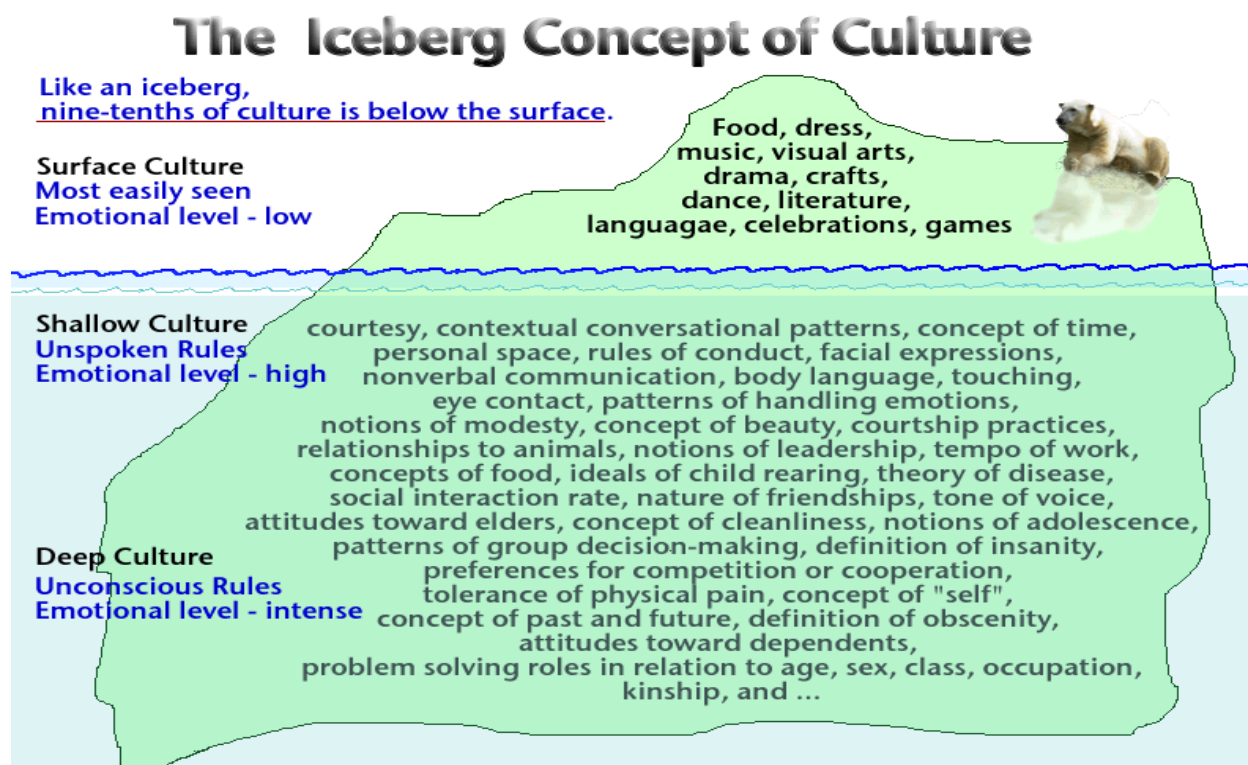
CONGRATULATIONS AND WISHES	
(My) Congratulations to you!	Поздравляю Вас!
Happy birthday to you!	Поздравляю с днем рождения!
Happy New Year!	С новым Годом!
Merry Christmas!	Счастливого Рождества!
Holly Easter!	С Пасхой!
I wish you good luck!	Желаю удачи!
Have a nice holiday!	Желаю хорошо провести праздник!
I wish you be healthy and wealthy!	Желаю здоровья и счастья!

6. Работа в парах. Позвоните по телефону и поздравьте своего друга:

- с днем рождения;
- с успешным окончанием университета;
- с Новым Годом.

7. Посмотрите на рисунок и ответьте на вопросы.

1. What does the notion "culture" comprise?
2. What does the concept of culture consist of?
3. What level of culture is the most noticeable?
4. Can you give examples of food and celebrations in Russia and other foreign countries?
5. What Russian unspoken rules of communication do you know?
6. Do you know any unspoken rules of other nationalities?
7. Have you ever felt that some unconscious rules of behaviour controlled the situation? In what situations did it happen?



8. Прочитайте и переведите два определения понятия «культура», которое из них, на Ваш взгляд, определяет данный выше рисунок.

Model:

1. **Culture** is the totality of socially transmitted behaviour patterns, arts, beliefs, institutions, and all other products of human work and thought.
2. **Culture** is a term that has many different inter-related meanings. However, the word "culture" is most commonly used in three basic senses:
 - Excellence of taste in the fine arts and humanities, also known as high culture.
 - An integrated pattern of human knowledge, belief, and behaviour that depends upon the capacity for symbolic thought and social learning.
 - The set of shared attitudes, values, goals, and practices that characterizes an institution, organization, or group.

9. Прочитайте и объясните, как Вы понимаете словосочетания со словом «культура». Составьте с ними предложения.

Consumer culture, corporate culture, political culture, pop culture, youth culture, primitive culture, Western culture.

UNIT 2. WHAT IS CROSS-CULTURAL COMMUNICATION?

1. Прочитайте слова, подчеркните префиксы и определите, что обозначает каждый из них. Переведите слова на русский язык.

Intercultural, international, incorporate, interact, include, underlie, presuppose, over-generalize, overlook.

- префикс _____ обозначает нахождение или положение под чем-либо;
- префикс _____ обозначает положение между чем-либо;
- префикс _____ обозначает предшествование по времени;
- префикс _____ обозначает движение вовнутрь, вовлеченность;
- префикс _____ обозначает положение над чем-либо или чрезмерность.

2. Соотнесите слово на русском языке с соответствующей грамматической формой этого слова на английском языке. Определите суффиксы частей речи.

1. грамотность	literate, illiteracy, literal, literacy, literalism, literally
2. компетентность	compete, competence, competition, competent, incompetent
3. научный, ученый	scholarly, scholarship, scholar, scholastic
4. осознание	aware, awareness, unawareness, unawares
5. в культурном отношении	cultural, culture, culturally, uncultured
6. снова, заново	new, news, anew, newish

3. Прочитайте усеченные конструкции и определите, в каких из них глагол “have” выступает в качестве смыслового глагола.

They have become critical..., it has become essential..., he has to possess a certain level of competence..., it has profound implications... , every word has to have a French translation, they have in common.

4. Прочитайте текст.

CROSS-CULTURAL COMMUNICATION

Cross-cultural communication (also frequently referred to as intercultural communication) is a field of study that looks at how people from different cultural backgrounds communicate in similar and different ways among themselves.

In the past decade, there has become an increasing pressure for universities across the world to incorporate intercultural and international understanding and knowledge into the education of their students. International literacy and cross-cultural understanding have become critical to a country's cultural, technological, economic, and political health. It has become essential for universities to educate, or more importantly, "transform", to function effectively and comfortably in a world characterized by close, multi-faceted relationships. Students must possess a certain level of global competence to understand the world they live in and how they fit into this world.

Cross-cultural communication, as many scholarly fields, is a combination of many other fields. These fields include anthropology, cultural studies, psychology and communication.

The study of languages can not only serve to help us understand what we as human beings have in common, but also assist us in understanding the diversity which underlies not only our languages, but also our ways of constructing and organizing knowledge, and many different realities in which we all live and interact. Such understanding has profound implications with respect to developing a critical awareness of social relationships. Understanding social relationships and the way other cultures work is the groundwork of successful globalization business efforts.

Language socialization can be broadly defined as "an investigation of how language both presupposes and creates anew social relations in cultural context". It is imperative that the speaker understands the grammar of a language, as well as how elements of language are socially situated in order to reach communicative competence. Human experience is culturally relevant, so elements of language are also culturally relevant. One must carefully consider semiotics and the evaluation of sign systems to compare cross-cultural norms of communication. There are several potential problems that come with language socialization, however. Sometimes people can over-generalize or label cultures with stereotypical and subjective characterizations.

5. Подберите русские эквиваленты к английским словосочетаниям из текста.

1. to incorporate into the education	a) многогранные взаимоотношения
2. cross-cultural understanding	b) чрезмерно обобщать и навешивать ярлыки на другие культуры
3. multi-faceted relationships	c) вписаться в окружающий мир
4. to possess a certain level of global competence	d) многообразие
5. to fit into this world	e) межкультурное понимание
6. a diversity	f) достичь формирования коммуникативной компетенции
7. to have profound implications	g) ввести в систему образования
8. to develop a critical awareness of	h) обладать определенным уровнем понимания мира
9. to reach communicative competence	i) иметь большой скрытый смысл
10. to over-generalize or label cultures	j) формировать критическое осознание ч-л

6. Согласитесь или опровергните высказывания, используя ту или иную речевую модель.

Models:

a) I think it is true. The text tells us that

b) To my mind, it is false because

1. International literacy of people has become very important for all countries.
2. Students must possess a certain level of global competence to understand the world they live in.
3. The study of languages can only serve to help us understand each other.
4. Successful globalization business efforts depend on proper understanding of social relationships.
5. To reach communicative competence it is enough to learn the grammar.
6. To reach communicative competence it is necessary to compare cross-cultural norms of communication.

7. Дополните предложения в соответствии с содержанием текста.

1. _____ is a field of study that looks at how people from different cultural backgrounds communicate.
2. _____ serves to help us understand what we as human beings have in common.
3. _____ and _____ have become critical to a country's cultural, technological, economic, and political health.
4. _____ and _____ are culturally relevant.
5. _____ is a combination of many other fields.
6. _____ can be defined as "an investigation of how language both presupposes and creates anew social relations in cultural context".
7. The speaker must understand _____ and _____.

8. Соотнесите название науки и ее определение.

SEMIOTICS, ANTHROPOLOGY, PSYCHOLOGY, CULTURAL STUDIES
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1. The scientific study of the origin, the behavior, and the physical, social, and cultural development of humans. _____
2. Interdisciplinary field concerned with the role of social institutions in the shaping of culture. _____
3. The theory and study of signs and symbols, especially as elements of language or other systems of communication, and comprising semantics. _____
4. The science that deals with mental processes and behaviour. _____

9. Составьте предложения.

1. includes/ language/ religion/culture/ traditions/ behaviour/ way o life.
2. cultural norms/ how / in various situations/ consist of/ people/ expectations of/will behave.
3. methods/has/ each culture/ its norms/ of enforcing.
4. people/ interaction/ governs/ between/the sociological subsystem.
5. focus on/ cultural anthropologists/ symbolic culture.
6. subcultures/ sets of/ often/ or groups of people/ have/large/ with/ societies/ behaviour and beliefs/ distinct.
7. are /religion/ integral to / and other belief systems/ often/ a culture.

10. Переведите предложения на английский язык.

1. Межкультурная коммуникация — это общение между представителями различных человеческих культур.
2. Особенности межкультурной коммуникации изучаются на междисциплинарном уровне и в рамках таких наук, как культурология, психология, лингвистика, антропология, социология.
3. Для описания межкультурной коммуникации используется классическое понимание культуры как более или менее стабильной системы осознанных и бессознательных правил, норм, ценностей.
4. В настоящее время всё чаще используется понятие культуры как образа жизни и системы поведения, норм, ценностей и т. д. любой социальной группы (например, городская культура, культура поколений, культура организации).
5. Исследования по межкультурной коммуникации в последнее время приобретают всё большее значение в связи с процессами глобализации и интенсивной миграции.
6. Культура – это образ жизни, особенно общие обычаи и верования определенной группы людей в определённое время.

10. Прочитайте и переведите следующие утверждения. Выберите одно из них, чтобы доказать или опровергнуть идею того, что язык влияет на культурные особенности той или иной нации, а знание иностранных языков позволяет легче понять культуру как других стран, так и своей страны.

1. "If we spoke a different language, we would perceive a somewhat different world."
2. "The manner of their living is very barbarous, because they do not eat at fixed times, but as often as they please." - Amerigo Vespucci
3. "To have another language is to possess a second soul."
4. "Those who know nothing of foreign languages, knows nothing of their own."
5. "Man acts as though he were the shaper and master of language, while in fact language remains the master of man."
6. "I do not call the soil under my feet my country; but language -- religion -- government -- blood - - identity in these makes men of one country."
7. "The more I saw of foreign countries the more I loved my own."

UNIT 3. CROSS-CULTURAL COMMUNICATION PROBLEMS

1. Прочитайте формы сказуемого. Формы, стоящие в пассивном залоге, выпишите в таблицу. Образуйте недостающие формы глаголов. Сформулируйте правило образования пассивного залога.

Understand, are causing, is being thought, has withdrawn, have been misinterpreted, have made, are used, were used, had been confirmed, were being mixed, didn't overlook, will be discussed, will have been repaid, shall be offended, was created.

	PRESENT	PAST	FUTURE
SIMPLE			
PROGRESSIVE			
PERFECT			

2. Переведите усеченные конструкции, обращая внимание на обстоятельства времени, которые являются сигналами к употреблению глагола в той или иной временной форме. Составьте с ними полные предложения.

1. ... (**often, usually, always, sometimes, seldom**) the elements of language are socially situated, the problems are discussed, cross-cultural communication is regulated, words are misinterpreted, metaphors are used, people are offended;
2. ... **now (at the moment of speech)** the problem is being discussed, you know what is being thought and said, the car is being driven on the left side of the road;
2. ... **already, by now (by the moment of speech)** a cultural conflict has been arisen, the norms of behaviour of people have been changed, he has been offended, the dispute has been resolved;
3. ... **last ..., ... ago, in 1997 (date)** traditions were created long ago, last time he was listened attentively; the holiday was celebrated two day ago, Alexander Graham Bell was born on March 3, 1847.

3. Прочитайте советы, как лучше осуществлять коммуникацию на английском языке. Поставьте глаголы в скобках в форму действительного или страдательного залога. Переведите предложения на русский язык.

1. Many cross-cultural communication misunderstandings (to cause) by the use of negative questions and answers. For example, the response to "Are you not coming?" may be 'yes', meaning 'Yes, I am not coming.'
2. Cross-cultural communication (to enhance) through taking turns to talk, making a point and then listening to the response.
3. If you are unsure whether something (to understand), write it down and check. This can be useful when using large figures. For example, a billion in the USA is 1,000,000,000,000 while in the UK it is 1,000,000,000.
4. When communicating across cultures never assume the other party (to understand). Be an active listener. Summarise what (to say) in order to verify it. This is a very effective way of ensuring accurate cross cultural communication (to take place).
5. Even the most well educated foreigner (not to have) a complete knowledge of slang, idioms and sayings. The danger (to be) that the words (to understand) but the meaning (to miss).

4. Прочитайте текст.

TEXT

CROSS-CULTURAL COMMUNICATION PROBLEMS

The key to effective cross-cultural communication is knowledge. First, it is essential that people understand the potential problems of cross-cultural communication and make a conscious effort to overcome these problems. Second, it is important to assume that one's efforts will not always be successful, and adjust one's behaviour appropriately.

For example, one should always assume that there is a significant possibility that cultural differences are causing communication problems, and be willing to be patient and forgiving, rather than hostile and aggressive, if problems develop. One should respond slowly and carefully in cross-cultural exchanges, not jumping to the conclusion that you know what is being thought and said.

William Ury's (Senior Fellow of the Harvard Negotiation Project) suggestion for heated conflicts is to stop, listen, and think, or as he puts it "go to the balcony" when the situation gets tense. By this he means withdraw from the situation, step back, and reflect on what is going on before you act. This helps in cross-cultural communication as well. When things seem to be going badly, stop or slow down and think. What could be going on here? Is it possible I misinterpreted what they said, or they misinterpreted me? Often misinterpretation is the source of the problem.

Active listening can sometimes be used to check this out—by repeating what one thinks he or she heard, one can confirm that one understands the communication accurately. If words are used differently between languages or cultural groups, however, even active listening can overlook misunderstandings.

Miscommunication between people happens all the time, especially when one of the parties is using a second language. Misunderstandings lead to doubt about the real intent of others.

Every country has its own communication style and habits. English speakers have the habit of using sport and military metaphors. They even use mixed metaphors and dead metaphors*. For example, they talk about "leveling the playing field" before they "charge straight in" to the "front line of operations". They can "step up to the plate and grab the bull by the horns". Americans like to use slang words and phrases that even other Americans don't always understand. Japanese people do not like to refuse something, so they say that it will be discussed "later". Later means never. French people can get easily offended. For example, every word has to have a French translation – e-mail, mail are too English, and so the word "courriel" was created. Germans love details and Italians don't. And the list of generalized differences can go on and on.

English speakers can rapidly create bad impression by being inappropriately informal. Many cultures have a different concept of respect and formality. In many cultures people will only address others using personal names after several months – or not at all. Native English speakers from all countries generally address acquaintances on the first name basis faster than in some cultures. Americans are the champions with the general use of nick names. Beginning your conversation informally in many countries can be insulting.

* dead metaphors – стертые метафоры

5. Ответьте на вопросы.

1. What should people know for committing effective cross-cultural communication?
2. What can cultural differences cause?
3. What is the best recommendation to avoid a cross-cultural conflict?
4. What is the main reason of a cross-cultural conflict?
5. What is the most common type of situation when miscommunication between people happens? Why?
6. What new information have you learned about habits of English speakers?

6. Закончите предложения в соответствии с содержанием текста.

1. There is a significant possibility that _____.
2. The suggestion for heated conflicts is _____.
3. If words are used differently between languages or cultural groups _____.
4. Misunderstandings lead to _____.
5. English speakers have the habit of _____.
6. Americans like _____.
7. Japanese people do not like _____.
8. French people can _____.
9. Many cultures have _____.
10. Beginning your conversation informally _____.

7. Прочитайте и переведите предложения из текста, обращая внимание на перевод фразовых глаголов. Подчеркните фразовые глаголы.

Фразовые глаголы (глагольные словосочетания) — это устойчивые сочетания глагола и наречия, либо глагола и предлога, либо глагола с предлогом и наречием одновременно. Наиболее распространенными являются: up, down, in, out, on, off, away, back. Эти слова соединяются с глаголами в сочетания, значение которых иногда прозрачно (как в предложениях: Take your hat off. 'Снимите шляпу'. Put your hat on. 'Наденьте шляпу'), а иногда идиоматично (например: put off a meeting 'отложить встречу', “Oh, come on — cheer up! — Ой, да ладно тебе, взбодрись!” или “ She reflected on this for a moment – она на минуту задумалась над этим”).

1. By this he means withdraw from the situation, step back, and reflect on what is going on before you act.
2. When things seem to be going badly, stop or slow down and think.
3. What could be going on here?
4. Active listening can sometimes be used to check this out.
5. They can “step up to the plate and grab the bull by the horns”.
6. And the list of generalized differences can go on and on.

8. Подберите соответствующую форму фразового глагола и переведите предложения на русский язык.

1. **to break down** переводится на русский как «сломаться», «перестать работать»,
2. **to break up**, регулярно употребляемый в разговорной речи фразовый глагол, обозначает «прекращать», «заканчивать», «расходиться», «распадаться».
3. **to hang up** переводится “повесить трубку”.
4. **to calm down** переводится на русский язык «успокаивать», «затихнуть».
- 5 **to give up** - все значения фразового глагола вращаются вокруг «сдаваться» и «бросать (делать что-либо)».

1. The police (calmed down, broke up) the fight.
2. The telephone system has (hung up, broken down).
3. Look, (give up, calm down)! We'll find her.
4. Don't (give up, break up) without even trying.
5. Don't (break down, hang up), I haven't finished talking to you!
6. The party (gave up, broke up) when the police arrived.
7. He (calmed down, broke down) and wept when he heard the news.
8. After I (hung up, broke up) I remembered what I'd wanted to say.
9. He took a few deep breaths (to calm down, to give up) himself.
10. I did want a holiday abroad, but we've had to (hang up, give up) the idea.

9. Работа в парах. Соотнесите английские идиомы в левой колонке с объяснениями, данными в правой колонке. Переведите их на русский язык. Составьте мини-диалоги, демонстрирующие значения этих идиоматических выражений в различных ситуациях общения. (Professor – Student. Boss – Employee, Mother – Daughter, Legal Adviser – Client).

1. You reap what you sow.	a. You created a big problem
2. Don't beat about the bush.	b. I am miserable now but I know I will be happy
3. Never let your guard down.	c. I really need to get rid of my anger
4. A little bird told me.	d. You get what you deserve
5. You really opened a can of worms.	e. Always pay attention, don't lose the focus
6. Steam when you heat water.	f. Stop wasting my time. You are trying to avoid answering my queries
7. That is not my cup of tea.	g. I don't want to reveal the source of information
8. There is a light at the end of the tunnel.	h. It is not my style

10. Прочитайте текст еще раз и найдите в нем английские эквиваленты следующим русским словам: враждебный, намерение (умысел), привычка, обижать, метафора, терпеливый, знакомый человек, уважение. Найдите эти слова на буквенной карте и составьте с ними предложения. (Слова записаны только по горизонтали и вертикали, в прямом и обратном порядке).

c	o	p	k	y	t	a	m	u	t	a	m	a	q	c	e	i
u	y	u	t	a	s	c	e	r	p	w	h	p	v	j	k	n
s	h	i	c	y	a	q	t	e	c	p	a	t	i	e	n	t
t	w	l	e	t	a	u	a	b	t	c	b	e	t	s	e	e
o	p	p	p	l	a	a	p	i	a	t	i	n	u	t	s	n
f	q	v	s	a	n	i	h	r	t	f	t	o	b	o	a	t
f	e	c	e	n	q	h	o	s	t	i	l	e	s	b	r	h
e	i	i	r	e	w	a	r	s	e	m	a	e	d	l	a	w
n	u	t	o	p	d	n	h	e	m	p	f	n	b	n	q	m
d	d	i	x	o	s	a	a	d	s	a	o	a	l	b	a	i
a	c	q	u	a	i	n	t	a	n	c	e	e	u	p	p	l
l	s	e	g	e	c	p	x	j	f	w	e	s	o	c	i	e

11. Работа в парах. Прочитайте текст и составьте вопросы. Один из студентов составляет общие и альтернативные вопросы, а другой – специальные и разделительные. Задайте вопросы друг другу и ответьте на них.

Prompt: General questions (yes-no).
Special questions (Wh-).
Alternative questions (or).
Tag questions (__, is it?).

Culture is a group which shapes a person's values and identity. Cultural conflicts arise because of the differences in values and norms of behavior of people from different cultures. A person acts according to the values and norms of his or her culture; another person holding a different worldview might interpret his or her behavior from the opposite standpoint. Situation creates misunderstanding and can lead to conflict.

The following case exemplifies how unintentionally one cultural group can hurt the feelings of the other. The city of Kenai, Alaska was planning a celebration of 200 years since the first Russian fur traders came to the region. A Native Indian tribe which lived in Alaska for a thousand years was offended by the implication that before the Russians came to the region there was no civilization there. As a result the celebration turned to a year-long event and Native Indian culture became its basis.

People can prevent cross-cultural conflicts by learning about cultures that they come in contact with.

12. Воспользуйтесь Интернет- ресурсами и продолжите список стереотипов и стереотипных качеств, которыми наделяют людей, принадлежащих к той или иной национальности. (Список стран может быть продолжен).

National Stereotypes



In heaven, the cops are British, the lovers are French, the food is Italian, the cars are German, and the whole thing is run by the Swiss.

In hell, the cops are German, the lovers are Swiss, the food is British, the cars are French, and the whole thing is run by the Italians.

—*Traditional joke.*

The happiest man on earth lives in a British house, gets an American salary, has a Chinese wife, and eats Japanese food.

The saddest man on earth lives in a Japanese house, gets a Chinese salary, has an American wife, and eats British food.

—*Another traditional joke.*

Britons - ceremoniously polite, address others using personal names, snobbish _____

Americans - like to use slang words, forced smile, chewing gum, large cars _____

Germans - love details, observe time, highly organized _____

Italians – noisy, gossipy neighbours, enjoy cooking _____

Japanese –extremely polite, intelligent, and obedient but dislike foreigners _____

Russians –love chess and ballet, open-hearted, hospitable, _____

13. Обсуждение – «Круглый стол». (Round Table Discussion. The way members are seated in relation to each other significantly affects group interaction. Arrangements that bring people closer together and permit direct eye-contact among all members promote group interaction).

Topic: How can we overcome stereotypical and subjective characterizations of different nations?

Группа делится на делегации из нескольких стран, в каждой из которых один студент-специалист готовит презентацию и рассказывает о традициях, обычаях и этикете поведения в его стране. Остальные участники готовят вопросы к представителям других делегаций об их традициях и особенностях поведения в их странах и выдвигают свои предложения, как преодолеть стереотипы мышления. При выступлении воспользуйтесь предложенной ниже схемой и речевыми моделями.

Preparation is essential for an effective presentation. When giving a presentation, certain keywords are used to signpost the different stages. It's a good idea to memorize them and practise using them, so that they come to mind easily during a presentation.	
▶ Starting the presentation	<ul style="list-style-type: none">• Good morning/good afternoon ladies and gentlemen• The topic of my presentation today is ...• What I'm going to talk about today is ...
▶ Why you are giving this presentation	<ul style="list-style-type: none">• The purpose of this presentation is ...• This is important because ...• My objective is to ...
▶ Stating the main points	<ul style="list-style-type: none">• The main points I will be talking about are firstly ...secondly...next, finally... we're going to look at ...
▶ Introducing the first point	<ul style="list-style-type: none">• Let's start/begin with ...
▶ Showing graphics, transparencies, slides etc.	<ul style="list-style-type: none">• I'd like to illustrate this by showing you...
▶ Moving on to the next point	<ul style="list-style-type: none">• Now let's move on to ...
▶ Giving more details	<ul style="list-style-type: none">• I'd like to expand on this aspect/problem/point• Let me elaborate on that• Would you like me to expand on/elaborate on that?
▶ Changing to a different topic	<ul style="list-style-type: none">• I'd like to turn to something completely different
▶ Referring to something which is off the topic	<ul style="list-style-type: none">• I'd like to digress here for a moment and just mention that ...
▶ Referring back to an earlier point	<ul style="list-style-type: none">• Let me go back to what I said earlier about ...

▶ Summarizing or repeating the main points	<ul style="list-style-type: none"> • I'd like to recap the main points of my presentation - first I covered - then we talked about - finally we looked at • I'd now like to sum up the main points which were:
▶ Conclusion	<ul style="list-style-type: none"> • I'm going to conclude by... saying that/inviting you to/ quoting ... • In conclusion, let me... leave you with this thought/invite you to
▶ Questions	<ul style="list-style-type: none"> • Finally, I'll be happy to answer your questions. • Now I'd like to invite any questions you may have. • Do you have any questions?

UNIT 4. NON-VERBAL BEHAVIOUR IN CROSS-CULTURAL COMMUNICATION

1. Ответьте на вопросы.

1. What springs to mind when you hear the word 'culture'?
2. Do you think different cultures have different emotions?
3. Are you good at reading people's facial expressions?
4. Do you think people's facial expressions are the same all over the world?
5. Are you good at hiding your true feelings?
6. Do you think it would be interesting to research facial expressions?
7. What do you think is the most expressive part of someone's face?
8. Why do you think a particular culture would focus more on the eyes or mouth?

2. Прочитайте описания, как изменяются лица людей, испытывающих различные эмоции (А), и сопоставьте эти эмоции с репликами, которые могут быть произнесены из пункта (В).

“The most important thing in communication is to hear what isn't being said.”

~ Peter F. Drucker

A

- Happiness - A smile, quite an obvious one, however, if there is no wrinkling, increase in puffiness or general muscle movement around the eyes, the person is faking the smile.
- Sadness - Eyebrows up, lips down-turned. Eyebrows up can also mean the person is feeling guilty.
- Contempt - One corner of the mouth rises, like a sort of 'half-smile'. In extreme contempt, the person's mouth shifts over in an odd way.
- Disgust - The top lip is raised, showing the teeth in extreme cases, like a scorn.
- Surprise - Gaping mouth with eyebrows raised. If this expression lasts longer than a second, the person is faking it.
- Fear - Eyebrows raised and lower part of the mouth lowered in extreme cases. Swallowing also indicates fear.
- Anger - Lips tightened, flaring nostrils, eyebrows pulled down and together are all signs of anger.

B

He says:

1. "I'm happy".
2. "I'm so sorry".
3. "I'm so angry".
4. "Why so? It's very strange".
5. "Wow!!!"
6. "Police! Help me!"
7. "I'm so hungry".
8. "Excuse me, please. Can you show me the way to..."
9. "I'm so sorry, forgive me, please".
10. "Mmmm. What is it?"
11. "You?!... Here again!"
12. "Aha!"

3. Опишите эмоциональное состояние человека по выражению его лица. Какую из реплик пункта (B) он мог бы произнести в данном состоянии?

Can you guess his facial expression?

He can be afraid, happy, sad, angry, interested, ashamed, disgusted, surprised, unsatisfied, shocked, distrustful, excited, playful, sick, insecure, cheerful, panic, silly, confused.



4. Прочитайте текст.

TEXT

NON-VERBAL BEHAVIOUR

Among the most markedly varying dimensions of intercultural communication is non-verbal behaviour. Knowledge of a culture conveyed through what a person says represents only a portion of what that person has communicated. Much of non-verbal communication may be broken down into six areas: dress; kinesics*, or body-language; eye contact; haptics**, or touching behaviour; the use of body space; and paralanguage including emotion and speaking style as well as rhythm,

intonation and stress. Any one of these areas communicates significant information nonverbally in any given culture.

One of the most apparent differences is the interpretation of dress. The message given by polished shoes, for instance, could easily be lost in a culture in which sandals are the standard footwear. Similarly, a woman's decision to wear her best suit would be lost in a culture in which no women wear business suits.

Just as importantly, people often bring to a crosscultural meeting ethnocentric prejudices regarding what they believe to be properly dressed. Thus, a European or an American may condemn as somehow less than civilized a Saudi or an Iranian in traditional garb. Conversely, a Saudi or an Iranian may well consider as immoral the bare face, arms, and legs of a European or an American woman in business attire.

Non-verbal behavioural differences in kinesics may be less obvious than dress differences. How people walk, gesture, bow, stand, or sit are all, to a large part, culturally determined. In many cases, a kinesic sign well understood in one culture is totally unknown in another culture. In Indonesia and in much of the Arab world, for example, it is offensive to show the soles of one's feet to another. This often clashes with behaviour in the United States where foot-crossing is common with no attention to where one's sole points. In Japan, a relatively elaborate system of bowing is common but has no counterpart in the United States.

Some kinesic behaviour may carry distinctly different meanings in more than one culture. In such cases, all parties recognize the gesture, but interpret it differently. During George Bush's visit to Australia while he was the President of the USA, he held up two fingers in a V sign. In both countries the symbol is widely understood, but in the United States the "V" emblem is a sign of good will, victory, and solidarity, while in Australia it carries a lewd, sexual meaning.

Haptics or touching behaviour also reflects cultural values. In a generally nonhaptic society such as Japan, touching another person in a business setting even with a handshake is traditionally considered foreign. While those Japanese familiar with U.S. handshaking may adapt to its use, one can expect that such cultural compromise would not easily extend to so haptic a response as a pat on the back.

The use of eye contact also varies significantly depending on the culture involved. In several cultures, for example, it is considered disrespectful to prolong eye contact with those who are older or of higher status. In many cultures, it is considered improper for women to look men in the eye. By contrast, in the United States, studies have shown that eye contact has less to do with age or rank than with a person's credibility or sense of belonging.

Finally, how far apart people stand when speaking or how far apart they sit in meetings carries significant information to people who share the same culture. Personal space is culturally determined. In the United States, for instance, people tend to feel most comfortable in business settings when speaking at approximately arm's length apart from each other.

In many Latin American, southern European, central African and Middle Eastern cultures, however, a comfortable conversational distance would be much closer. Indeed, in many parts of the world, friendly or serious conversations are conducted close enough to feel the breath of the speaker on one's face. The U.S. or northern European communicator unaware of this may face a very discomforting situation, with the speaker literally backing his or her U.S. or northern European counterpart into a corner as the speaker continues to move closer to the retreating listener. The result in a business situation could be disastrous. The speaker with the closer personal space conception would likely feel distrustful. Conversely, the person with larger personal space conception might feel the encroaching speaker to be pushy, overly aggressive, or rude.

Notes:

* **kinesics** - кинесика (мимика, взгляд, жесты, поза)

** **haptics** - такесика (прикосновения)

5. Согласитесь или опровергните высказывания.

1. Non-verbal behaviour is a very important part of any communication.
2. Non-verbal behaviour may be broken down into five areas.
3. Kinesics includes emotions and speaking style of the speaker.
4. Haptics implies the use of body space.
5. The most apparent difference in cross-cultural communication is the interpretation of dress.
6. The bare face, arms, and legs of a woman in business attire is considered immoral in many Latin American cultures.
7. It is offensive to show the soles of one's feet to another in much of the Arab world.
8. All cultures have the same gestures and the same interpretation of them.
9. Prolonged eye contact with men is common for women in many cultures.
10. A relatively elaborate system of bowing is common for Middle Eastern cultures.
11. How far apart people sit in meetings carries significant information to those who share the same culture.
12. Those Japanese familiar with U.S. handshaking may adapt to its use and even extend such haptic response to patting on the back.

6. Заполните таблицу извлеченной из текста информацией.

Non-verbal pattern(s) of behaviour	is (are) allowed in ... (what country?)	is (are) forbidden in ... (what country?)
1. a prolong eye contact with those who are older		
2. a handshake		
3. foot-crossing		
4. two fingers in a V sign		
5. patting on the back		
6. bowing		
7. to feel the breath of the speaker on your face		
8. to speak at arm's length apart from each other		

7. Найдите лишнее слово. В конце каждой цепочки слов напишите обобщающее эти понятия слово.

1. A Saudi, the Irtysh, an Iranian, a Japanese, the British, an Australian; _____
2. a suit, a business attire, a garb, a suite, a dress, trousers; _____

3. handshake, hugging, touching, smile, kiss, patting; _____
4. shoes, sandals, boots, sneakers, soles; _____
5. eyes, ears, a mouth, lips, a back, a nose, a forehead; _____
6. a mime, a gesture, a finger sign, thumb up, sadness. _____

8. Соотнесите слово и его определение. Переведите их на русский язык..

1. kinesics 2. haptics 3. rhythm 4. intonation 5. stress 6. counterpart

- a. The patterned, recurring alternations of contrasting elements of sound or speech.
- b. The emphasis placed on the sound or syllable spoken most forcefully in a word or phrase.
- c. The study of nonlinguistic bodily movements, such as gestures and facial expressions, as a systematic mode of communication.
- d. One that closely resembles another.
- e. A manner of producing or uttering tones, especially with regard to accuracy of pitch.
- f. The study of nonlinguistic bodily movements, such as touch.

9. Закончите предложения, описывающие правила общения в России. Дополните список известными Вам правилами общения в нашей стране.

1. When greeting or leaving Russians always
 - a) kiss each other
 - b) shake hands
 - c) pat on the shoulder

2. Russian belief holds that _____ will lead to an argument.
 - a) a handshake over a threshold
 - b) a handshake with a woman
 - c) a handshake without smiling

3. Russians stand _____ when talking.
 - a) far from each other
 - b) close
 - c) holding hands

4. The _____ can be an acceptable gesture of approval.
 - a) V sign
 - b) "thumb-up" sign
 - c) "thumb-down" sign

5. Speaking or laughing loudly in public is _____.
 - a) discouraged
 - b) common
 - c) desirable

6. Any public physical contact: hugs, backslapping, kisses on the cheeks are _____ among friends or acquaintances and between members of the same sex.
 - a) forbidden
 - b) rare

c) common

10. Прочитайте текст и поставьте глаголы в скобках в соответствующую грамматическую форму.

A popular American politician (to travel) to a Latin American country several years ago. When he (to arrive) at the airport of the host country, he (to emerge) from the aircraft waving to the assembled crowd which included dignitaries and reporters from the local press. Someone (to ask) the American politician how his flight (to be). In response, he (to use) his thumb and forefinger to flash the common "O.K.!" gesture as the news cameras busily (to click away).

Leaving the airport, the American politician (to go) for a short visit with local government officials. Next, he (to go) to the major university in the area to deliver an address. He (to be) accompanied to the university by his official U.S. government translator who (to happen) to be a military man in full uniform. The American politician's speech (to deal) with the United States' desire to help their Latin American neighbours by way of economic aid.

The entire trip (to be) a disaster. Why? Because, though the American politician's verbal communication (to be) satisfactory, non-verbally he (to communicate) an entirely different message. When asked how his flight (to be), the American (to flash) what to him was a common "O.K." hand gesture. This act (to photograph) by the news media and (to print) on the front page of the local newspapers. While that hand gesture (to mean) "O.K." in North America, it (to be) a very obscene gesture in that part of Latin America. The university where the American politician (to choose) to deliver his policy address (to be) just the site of violent anti-government demonstrations. The students (to interpret) the presence of a military translator as meaning that the American politician (to support) the policies of the local government. The American politician (to communicate) two radically different sets of messages: one verbally and one nonverbally.

(by David Hesselgrave)

11. Прочитайте рекомендации правильного обращения с иностранцами. Напишите небольшое эссе -10-12 предложений. Дополните рассказ своими наблюдениями, относительно этикета общения в России.

- ✓ Приветствия в ряде стран имеют национальную окраску. Рукопожатия - основная форма приветствия. Но в некоторых странах не принято пожимать руку женщинам, а потому подождите, пока женщина сама протянет вам руку. Во Франции и странах Средиземноморья распространены поцелуи в щеку, в Латинской Америке - объятия. Две прижатые друг к другу перед грудью ладони - индийское национальное приветствие.
- ✓ Везде надо проявлять уважение к старшим. Именно они должны первыми начать разговор. Когда старшие по возрасту люди входят в помещение, вставайте.
- ✓ Общий совет при принятии незнакомой пищи - ешьте то, что вам предлагают, и не спрашивайте, что это такое. Порежьте свою порцию на мелкие кусочки - так она без труда попадет вам в желудок.
- ✓ Во многих странах религия оказывает влияние на деловую жизнь, в том числе на распорядок дня и рабочие месяцы и дни. Узнайте больше о религии данной страны, но не вступайте в дискуссии на такие темы. Например, буддийские образы священны: нельзя наступать на порог в Таиланде - под ним обитают добрые духи; никогда не отвлекайте человека, обращенного лицом к Мекке; без разрешения не фотографируйте и не трогайте руками религиозные атрибуты.
- ✓ Везде Вы должны иметь при себе визитную карточку, на которой указывается: название Вашей организации, Ваша должность, титулы. Не следует использовать аббревиатуры. В Юго-Восточной Азии, Африке и на Среднем Востоке визитку всегда протягивайте правой рукой. В Японии ее подают двумя руками, нужной стороной к партнеру.

- ✓ Остерегайтесь использовать привычные для вас жесты, скажем `V` (знак победы). В других странах они могут иметь совсем иное, не всегда приличное, значение.

12. Работа в парах. Выберите какую-нибудь страну и разыграйте в аудитории сценку общения с представителем этой страны, следуя обычаям и традициям выбранной Вами национальности.

UNIT 5. WRITTEN COMMUNICATION

1. Прочитайте текст и ответьте на вопросы.

1. What does written communication include?
2. What does the effectiveness of written communication depend on?
3. What communication forms are described in the text?
4. What are the aims of writing memos?
5. What should you do before writing a memo?
6. What does effective use of emails require?
7. What is the best advice for writing emails?

Written communication includes traditional pen and paper letters and documents, typed electronic documents, e-mails, text chats, SMS and anything else conveyed through written symbols such as language. This type of communication is indispensable for formal business communications and issuing legal instructions. Communication forms that predominantly use written communication include handbooks, brochures, contracts, memos, press releases, formal business proposals, and the like. The effectiveness of written communication depends on the writing style, grammar, vocabulary, and clarity.

A memo is a document typically used for communication within a company. Memos can be as formal as a business letter and used to present a report. Usually you write memos to inform readers of specific information. You might also write a memo to persuade others to take action, give feedback on an issue, or react to a situation. However, most memos communicate basic information, such as meeting times or due dates. Before writing a memo, outline what your purpose is for doing so, and decide if the memo is the best communication channel.

Memo

TO: Employee's Name

FROM: Your Name *R.H.*

DATE: Today's Date

SUBJECT: One or Two Words

Write a message to a fellow employee explaining a new policy or procedure that you want carried out in your company. This message must be at least 4 sentences long.

Email is used to communicate in many settings. Effective use of email requires a clear sense of the purpose for writing, as well as a clear statement of the message.

Email is not the same as talking to someone face-to-face or even over the telephone. When we talk face-to-face, we pick up meaning from facial expressions, body language, specific gestures, and, of course, tone of voice. Even telephone conversations preserve the meanings conveyed by tone of voice. But email messages lose these extra ways of conveying meaning as we exchange messages, and so writers need to take care when writing email messages, even though they seem impromptu or off-the-cuff.

The best general advice: What you include in your email message depends on why you are writing and to whom. Effective email messages are short and to the point. Receivers don't want to scroll through two or more screens of text to get your message. On the other hand, don't make your messages so short that the receiver doesn't understand you. Provide enough information so that the receiver understands both the context and the details of the message

Because email messages lack tone of voice and gestures that communicate so much during face-to-face and telephone conversations, some email writers include emoticons* to indicate humor, sarcasm, excitement, and other emotions; for example, :) is a happy face. As a writer, you'll know which personal messages can include these touches, but they're generally frowned upon in professional contexts.

Similarly, you may feel comfortable writing personalized abbreviations (such as imho for "in my humble opinion") in personal or social messages, but they are generally not considered appropriate for professional communications.

*emoticons – знаки, выражающие эмоции, смайлики

EMOTICONS	
:) or :-)	happiness, sarcasm, or joke
:(or :-(unhappiness
:] or :-]	jovial happiness
:[or :-[despondent unhappiness
:D or :-D	jovial happiness
:I or :-I	indifference
:/ or :-\	undecided, confused, or skeptical
:Q or :-Q	confusion
:S or :-S	incoherence or loss of words
:@ or :-@	shock or screaming
:O or :-O	surprise, yelling or realization of an error
Abbreviations	
AAMOF	as a matter of fact
BBFN	bye bye for now
BTW	by the way
BYKT	but you knew that
CMIIW	correct me if I'm wrong
EOL	end of lecture
FAQ	frequently asked question(s)
FITB	fill in the blank
FWIW	for what it's worth
FYI	for your information
HTH	hope this helps
IAC	in any case

2. Прочитайте два электронных сообщения (А, В), обращая внимание на структуру их написания. Ответьте на вопросы, используя информации из обоих сообщений.

1. How many parts does email comprise?
2. What are these parts? Name them and translate into Russian.
3. How can we greet friends and good acquaintances?
4. How should we address to strangers and officials?
5. What kind of information does the opening sentence of email contain?
6. Is an effective e-mail long or short?
7. Is an effective email divided into paragraphs? What for?
8. Do we use red lines or white space to visually separate paragraphs into separate blocks of the text?
9. Is there anything brief but friendly in the closing salutations?
10. What else information should we put in closing? What for?

A.

addressee (recipient)

To: glenn@yahoo.com

Dear Glenn, *greeting*

opening sentence (purpose)

I am writing this email to apologize for the way I behaved with you yesterday. I want to clear all the misunderstanding that is there between us :(or :-).

Today I would like to tell you something that I have never told you before. If I have understood the meaning of true friendship, then the person responsible for it is you. I still, remember the days when we used to have fun together during school days and when you used to stand up for me whenever I was punished. I still remember how you used to help me with my homework. You protected not only as a friend but also as an elder brother. *the main part (action)*

But, I don't want to lose all those lovely memories only because of one misunderstanding. I am sorry for behaving with you rudely. I was not aware of the situation, so I shouted at you. Please forgive me, my friend.

With regards, *close salutation (ending)*

Your best friend,

Sam *signature (name)*

B.

To: Wayne.Mackenzie@gmail.com

Hello Mr. Mackenzie

I am Kate Williams and I am staying right next to your premises. This email was in regard of loud noises coming from your house which is unbearable to most of the neighbours including me which are residing adjoining to your property.

Due to our different work timings it wasn't possible to come personally and explain the things. Though I have tried few times but you were not present at your place. Till date I was not aware of your work timings and came to know that you have night working hours. Your absence have made your kids go little wild and seems creating havoc for us by partying most of the night.

I took it as a duty to inform you regarding the same as you might not be aware of the situation back home. I would request you to take this email into consideration and take necessary steps.

Thanking You
Sincerely
Jane Miller
Ph: 290-998-0651

3. Перепишите электронное сообщение (А) и поставьте «смайлики» там, где это возможно, чтобы показать в каком эмоциональном состоянии находится автор.

4. Переставьте части электронного сообщения в соответствии с принятой структурой написания электронного сообщения.

1. Thanking you,

2. To: Robert.Jones@gmail.com

3. We were in high spirits when we visited your restaurant but the place was packed, it seems that the sitting arrangement was done haphazardly and your restaurant staff was unable to cope up with the demanding crowd. Being your well-regarding restaurant in our locality this kind of food & welcoming is disgraceful. The only good thing was that the staff members politely listened to our whining about the food and catering service.

4. Jennifer Bentley

5. My friends and I visited your restaurant last week to celebrate one of my friend's birthday party. I am sorry to say the food served was of poor quality and now it has built a second opinion in our minds whether to visit it again or not.

6. Dear Mr. Jones

7. I am writing an email to you to bring in attention and improve your food quality, being a famous restaurant it has to match up to the standards of its name.

5. Впишите приведенные ниже фразы в таблицу. Определите, какие из них являются формальными и могут использоваться в деловой сфере, а какие – неформальные и используются только между близкими людьми. Подберите к ним русские эквиваленты.

Salutation	Opening sentence	Conclusion	Close salutation

1. Dear Sir or Madam
2. [no name or no close]
3. Hello
4. Best wishes
5. Feel free to get in touch if you have any questions
6. Hey
7. Bye
8. Dear all
9. I'm writing to thank you...
10. Yours sincerely
11. Just a short email to inform you...
12. All the best
13. Dear Mr., Mrs., Ms.
14. Looking forward to your reply
15. To whom it may concern
16. Let me know if you need anything else
17. Hi everyone
18. Best regards
19. Do not hesitate to contact us if you need any assistance
20. See you (soon)
21. I look forward to hearing from you

4. Прочитайте электронное сообщение и напишите ответ.

To: sam@yahoo.com

Dear Mr. Rockwell,

We, Mr. and Mrs. Clarke would like to announce the graduation of our son Michael Clarke on 10th December, 2010.

Our son, Michael was pursuing Bachelor of Arts in media studies from the University Of South Dakota College Of Media Studies in Film and Television. He had joined the university on 5th December 2006. He has always been a constant performer and an idol student His grades have always been good throughout the tenure of the course. His constant performance and dedication towards his studies has made us proud parents.

The University is holding a graduation ceremony. The graduation ceremony will take place on 10th of December, 2010 at the college premise and the program will commence from 10 in the morning. We would like to invite you for being a part of the ceremony. Your presence is important for us, so please join us in blessing our son for a bright future.

Thanking you,

Mr. and Mrs. Clarke.

5. Напишите электронное сообщение:

- а) своему другу с приглашением пойти на выставку в музей;
- б) преподавателю с объяснением, почему вы не сдали курсовую работу вовремя;
- в) в деканат, чтобы узнать расписание экзаменационной сессии;
- г) группе студентов с просьбой помочь Вам найти необходимую литературу по какому-либо предмету;
- д) на тему, которая вас сейчас волнует.

UNIT 6. TEST YOURSELF

1. . Прочитайте текст и вставьте пропущенные слова.

Good communication skills project an image of confidence and ____1____. Although some of them are natural and go without saying some of them still can be acquired by practice and preparation. Sometimes it's useful to develop a strategy when you want to start a conversation with someone you don't know.

- Start with “hello” and simply tell the other person your ___2___ and ask them theirs. Then offer your ___3___ to shake.
- Look around and see if there is anything unusual to point out. (Talking about the ___4___ is probably not a good idea unless there is something very unusual about it – a storm, snow, tornado, etc.) “Have you seen that picture over there?” – “This is an interesting building. I wonder how old it is.”
- If you can, offer a ___5___ about something, but only if it is sincere and not too personal. For example, “I saw you using a MacBook – looks very nice. Are you happy with it?”
- Ask questions which will make the other person feel that they are interesting. People like talking about themselves but don’t make the questions too personal. Ask for their ___6___ about things and their possible experience of current ___7___ and situations. “Have you been affected by this strike?” It’s not a bad idea to mentally prepare a list of possible ___8___ before you begin the conversation. Avoid politics and ___9___ because they are sensitive subjects for some people.
- Instead of worrying about what you are going to say next, ___10___ carefully to what the other person is saying and take up any conversation opportunities they offer you. Agree, disagree, ask follow-up questions and ___11___ opinions to show you are interested.
- Look the other person in the eyes, but don’t ___12___ or get too close. Smile occasionally, but avoid using a fixed grin.

Name, compliment, offer, topics, intelligence, opinions, listen, weather, religion, issues, stare, hand

2. Согласитесь или опровергните утверждения. (True or False).

1. To start a conversation with someone you don’t know doesn’t require any skills.
2. Start with smiling and hugging.
3. Talking about the weather is the best idea.
4. People like compliments and are happy when they are very personal.
5. People like talking about themselves.
6. It is safe to speak about present situations.
7. It is a good idea to make up a list of possible questions.
8. When you know what to say it’s not necessary to listen what the person is saying.
9. Stare the person and get close.
10. Smile as often as you can.

3. Озаглавьте текст.

1. How to form good communicative skills.
2. How to start a conversation.
3. How to impress people with good manners.
4. How to make people love you.

4. Разделите слова из текста, найдите глаголы и напишите с ними предложения.

preparation avoid unusual mentally strategy show acquire confidence tornado current offer strike sincere experience look unless example worry grin occasionally conversation over agree.

5. Закончите предложения.

1. Effective cross-cultural communication is _____
 - a) skills
 - b) knowledge
 - c) good manners

2. Semiotics is the science about _____
 - a) mental processes and behaviour
 - b) the role of social institutions in the shaping of culture
 - c) signs and symbols, especially as elements of language

3. Haptics implies _____
 - a) the use of body space
 - b) touching behaviour
 - c) mime and gestures

4. When a person is sad _____
 - a) his eyebrows up, lips down-turned
 - b) his lips tightened, eyebrows pulled down
 - c) his top lip is raised

5. Japanese people do not like _____
 - a) to see a ballet
 - b) to bow
 - c) to refuse something

6. In the Arab world it is offensive to _____
 - a) show the soles of one's feet to another person
 - b) have close conversational distance
 - c) shake hands

7. In Australia the "V" emblem is a sign of _____
 - a) good will, victory, and solidarity
 - b) a lewd and sexual meaning
 - c) failure and crisis

GLOSSARY

- 1. awareness – 1) осознанность, сознание; 2) отчет в собственных действиях, понимание**
 - ethnic ~ - этническое сознание
 - legal ~ - правосознание
 - be aware of ... - осознавать, отдавать себе отчет
- 2. competence – компетенция, способность, умение**
 - communicative ~ - коммуникативная компетенция
 - competent – компетентный, знающий, правомочный (юр)
 - ~ user – уверенный пользователь ПК
 - ~ officer – правомочный чиновник
- 3. counterpart – лицо, занимающее аналогичное положение, двойник, копия, противная сторона (юр)**

British lawyer and his American counterpart – британский юрист и его американский коллега
have no ~ – не иметь аналога

4. culture – культура

cultural – культурный

~ anthropology – антропология культуры

~ background – культурное происхождение

~ bias – культурные предубеждения

~ conflict – конфликт, вследствие различия культурных норм

~ group – культурная группа

~ identity – культурная самобытность

~ studies – культуроведение

~ studies scholar – культуролог

~ values – культурные ценности

cross-cultural – межкультурный

~ communication – межкультурное общение

~ interaction – взаимопроникновение культур

~ studies – сравнительные исследования в области культур

intercultural communication – межкультурная коммуникация

culturally – в культурном отношении

~ and linguistically diverse communities – общины, различные в культурном и языковом отношении

5. diversity – 1) разнообразие, многообразие; 2) разновидность

cultural ~ - культурное многообразие, многообразие культур

cultural, religious and linguistic ~ - культурное, религиозное и языковое разнообразие

diversify – разнообразить, варьировать

diverse – 1) различный, несхожий; 2) разный, разнообразный

6. impression – 1) впечатление; 2) представление, понятие, мнение; 3) отпечаток, след, оттиск

make (to produce) an ~ on smb – произвести впечатление на кого-либо

have a vague ~ of smth – иметь смутное представление о чем-то

~ of fingers – отпечатки пальцев

~s of traces - оттиски следов

7. prejudice – пристрастие, предвзятое мнение

have a ~ against smth – иметь предубеждение против чего-либо

a ~ in favour of smb – пристрастное (незаслуженно хорошее) отношение к кому-либо

prejudice – создавать предвзятое мнение

~ smb against smb – восстановить кого-либо против кого-либо

8. relationship – 1) родственные отношения; 2) взаимоотношение, связь

~ of languages – генетическое родство языков

have ~s with smb – иметь отношения с кем-либо

break off ~ - разорвать отношения

cause and effect ~ - причинно-следственная связь

10. skill – 1) умение, навык; 2) мастерство, искусство; 3) компетентность

communicative ~ – искусство общения

practical communication ~ s – навыки практического общения

skilled - опытный, умелый, искусный

11. socialization – социализация, подготовка к жизни в обществе

language ~ языковая социализация

primary ~ - первичная социализация

socialize – социализировать, подготавливать к жизни в обществе

MODULE 4

Business Communication

UNIT 1. BUSINESS ENGLISH

1. Посмотрите на фотографии, приведенные ниже. Какие ситуации делового общения они иллюстрируют?



A.



B.



C.



D.



E.



F.

2. Какие из фотографий иллюстрируют ситуации, описанные ниже?

- Job applicant is answering interviewer's questions.
- A businessman is meeting a colleague from abroad.

- A man is booking a ticket by phone.
- Students are getting to know each other after the first day in a language school.
- A man is filling in a form for money transfer in a bank.

3. Заполните пропуски глаголами из рамки. Переведите вопросы на русский язык. В каких ситуациях из упражнения 1 участники общения могли бы задать или услышать подобные вопросы?

Will, would, could (2), do (3), is (2), are, was, have (2), shall

1. What ... your full name?
2. ... I fill in all the blanks here?
3. ... you spell your name, please?
4. ... you worked in such companies before?
5. Where ... you staying while you are here?
6. How ... your flight?
7. ... you got any special reasons for learning English?
8. ... you have any flights to Prague next Tuesday afternoon?
9. Why ... you want to work for our company?
10. ... you put your signature here, please?
11. If we give you a discount ... you promise to deliver on time?
12. How much ... you like to transfer?
13. ... this your first visit to Moscow?
14. ... you give us a discount if you agree to our conditions?

4. Работа в парах. Составьте диалоги, используя вопросы из упражнения 3, и озвучьте одну из фотографий.

5. Прочитайте определения слова “business”. Какое определение, по Вашему мнению, раскрывает понятие слова “business” в выражении “Business English”? В каких значениях чаще всего употребляется заимствованное из английского языка слово “business” в русском языке?

- The activity of buying and selling goods or services that is done by companies. *E.g. We do a lot of business with Italian companies.*
- An organization such as a shop or a factory which produces or sells goods or services. *E.g. Paul's decided to start his own business.*
- The amount of work a company is doing. *E.g. Business is slow during the summer.*
- Any serious work or activity. *E.g. Let's get down to business.*
- Any occupation or activity, usually opposed to doing nothing. *E.g. I'm here on business.*

6. Прочитайте и переведите текст. Какое определение слова “business” из упражнения 5 передает значение термина “Business English”. Прокомментируйте свою точку зрения.

TEXT

BUSINESS ENGLISH

Within the past decades the popularity of Business English has increased enormously. There is hardly a specialist who can function effectively if he doesn't know English; there is hardly a company that doesn't use English as the language of business communication. A large number of international companies have set up their representative offices in our country, offering new positions and challenging opportunities. But Business English is used not only by specialists on the job; ordinary people often find themselves in different situations when it's almost impossible to do without Business English.

What is Business English? Traditionally Business English was referred to English for Specific Purposes together with English for Academic Purposes and English for Science and Technology. Within this classification Business English was naturally viewed as the language for trade and commerce. This traditional understanding of the word "business" was and still is reflected in modern dictionaries, which define it first of all as "the activity of buying and selling goods and services".

However, life changes and attitudes do too. In the first place these changes have affected the meaning of the word "business". Thus computer dictionary ABBY Lingvo defines "business" as any occupation, trade or activity, which is opposed to "doing nothing, being idle". This last definition proves that Business English may have a very wide sphere of application and people may use it not only at work where they have to communicate with foreign colleagues, partners and customers but out of work as well. Being an active member of a society and living according to its laws we always get involved into various situations which require from us a good command of Business English. We meet with different people, apply for a job, book tickets, order and buy overseas goods through the Internet, get and transfer money, arrange trips, go abroad on business or just have a rest. It is almost impossible to cope with these situations if you don't have at least elementary business communication skills.

Traditionally Business English is divided into General Business English and Professional Business English. General Business English may be used both by professionals and non-professionals in various contexts and circumstances. As a rule people speaking General Business English use common words and word combinations but in a new business context. There are a lot of examples when familiar words acquire new meanings when we start using them for business communication. Thus, "*to run a company*" means to manage a company, "*to be short of time or money*" means not to have enough time or money.

Phrasal verbs are also rather frequent in the language of business communication. It is very important to learn and understand their meaning not to get into embarrassing situations. For example phrasal verb "*to look forward to*" which is often used in business correspondence, means that you'll be happy to receive a reply; the verb "*to get through*", which appears in telephone talks, means to reach somebody by phone. Prepositions having both lexical and grammar functions play a rather important part in Business English. Failure to use a correct preposition may not only mislead your partner but ruin the act of communication. For example, we say "*to advise on*" when we ask our partner to give us advice on a subject he or she knows very well (*He advises us on tax matters*). If we say "*to advise of*" we will mean that we want to inform somebody about something. (*We'll advise you of any changes in delivery*).

The sphere of application of Professional Business English is usually narrower than of General Business English as it is used only by professionals who work in a particular area. The main peculiarity that differentiates Professional Business English from General one is the use of terms. Thus people who work in finance will definitely come across such expressions as *interest rates* or *cash flow* which may not be clear enough to an ordinary person. Professional legal English known as "legalese" employs a lot of Latin borrowings (e.g. *actus reus*, *mens rea*) which are also considered to be terms. All these examples prove that it's impossible to be fluent in Professional Business English without being an expert in the particular sphere.

7. Подберите русские эквиваленты словам и словосочетаниям из текста.

1. language of business communication	a. найти отражение в современных словарях
2. to do without Business English	b. попасть в неловкую ситуацию
3. to be reflected in modern dictionaries	c. устраиваться на работу
4. to define	d. организовывать поездки
5. attitude to smth	e. иметь навыки делового общения
6. to affect the meaning of the word	f. требовать свободного владения английским языком
7. to have a wide sphere of application	g. язык делового общения
8. to require a good command of English	h. ввести в заблуждение к-л
9. to apply for a job	i. забронировать билет
10. to book a ticket	j. обходиться без делового английского
11. to order overseas goods	k. отношение к ч-л
12. to arrange trips	l. приобретать новое значение
13. to have business communication skills	m. деловая переписка
14. to acquire a new meaning	n. оказать влияние на значение слова
15. to get into an embarrassing situation	o. заказывать товары из за границы
16. business correspondence	p. иметь широкую сферу применения
17. to mislead smb.	q. определять

8. Ответьте на вопросы.

1. How did Business English use to be defined?
2. How is Business English defined nowadays? What does this definition prove?
3. How is Business English used in our everyday life?
4. What are the subdivisions of Business English?
5. What are the peculiarities of General Business English?
6. What is the sphere of application of Professional Business English?

9. Работа в парах или небольших группах. Представьте, что на вашем факультете идет набор студентов на курсы делового английского языка. Объявлен конкурс на составление лучшего рекламного проспекта для привлечения большего количества студентов. Подготовьте мини-презентацию своего проекта и представьте ее. Используйте следующие слова и выражения:

- It will give you a good chance – Это даст вам хороший шанс
- You will have a wonderful opportunity – У вас будет удивительная возможность
- You will be able to... - Вы сможете
- Moreover – Более того
- In addition - Кроме того, к тому же
- It goes without saying – Само собой разумеется
- It's a proven fact that... - Это доказанный факт, что ...

10. Найдите и подчеркните в тексте “Business English” фразовые глаголы. Какие еще фразовые глаголы Вы знаете? Составьте одно-два предложения с известными Вам фразовыми глаголами.

11. Прочитайте и переведите предложения, обращая внимание на фразовые глаголы. Выпишите фразовые глаголы и подберите к ним русские эквиваленты.

1. I have put your name down on the list.
2. They have decided to put off the meeting till next week.
3. He has to put up with a lot of unfair criticism.
4. Hello, this is Mark from Finance department. Could you put me through to the Sales department, please?
5. It's difficult to get on with our new Boss; he is so bad-tempered.
6. These talks are useless, let's get down to business.
7. I'm looking forward to seeing you soon.
8. I've looked through your report; some important information is missing.
9. I can't make out what you are talking about. Could you speak up, please?
10. The wonderful food in the restaurant made up for the uncomfortable seats.
11. - Will you tell your boss about your plans?
- Only if the subject comes up in the conversation.
12. Recently I've come across someone who has done an almost identical study, so I have to come to the decision: do I want to go on making research on this subject or shall I choose anything else?

12. Заполните пропуски фразовыми глаголами из упражнения 11, поставив их в соответствующую грамматическую форму.

1. Frank: I thought you were at the presentation yesterday.
Ken: I was intending to go, but right at the last minute something urgent _____.
2. The other day I have _____ some shocking fact about government corruption.
3. As soon as I saw the manager of the project I knew we were not going to _____ well.
4. We have too many urgent things to do. If we want to meet the deadline, we have to _____ business immediately.
5. Since I sent my CV to this company I have been _____ their reply.
6. You don't have to read the whole description, you may _____ it _____ to get the general idea.
7. I can't _____ why my computer won't save this document.
8. We are late, so we have to work hard to _____ the lost time.
9. I think people won't _____ this policy any longer. They will take some measures soon.
10. If you don't know his extension number, call directly to the company he works for and ask to _____ you _____.

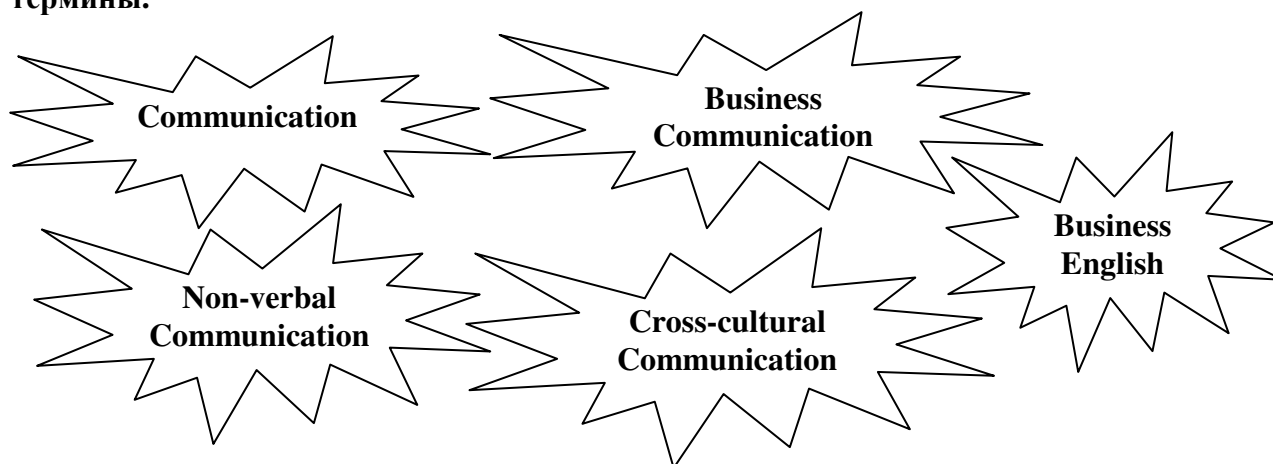
13. Переведите предложения на английский язык, используя фразовые глаголы.

1. Если Вы не можете понять, что говорит Ваш собеседник, вежливо попросите его повторить или говорить помедленнее.
2. У нас очень мало времени. Давайте сразу перейдем к делу.
3. Я просмотрел ваше резюме и думаю, Вы нам подходите.
4. Если у Вас есть какие-либо вопросы, пожалуйста, свяжитесь с нами. Мы будем с нетерпением ждать Вашего ответа.
5. Вам необходимо внести имена всех участников конференции в этот список.

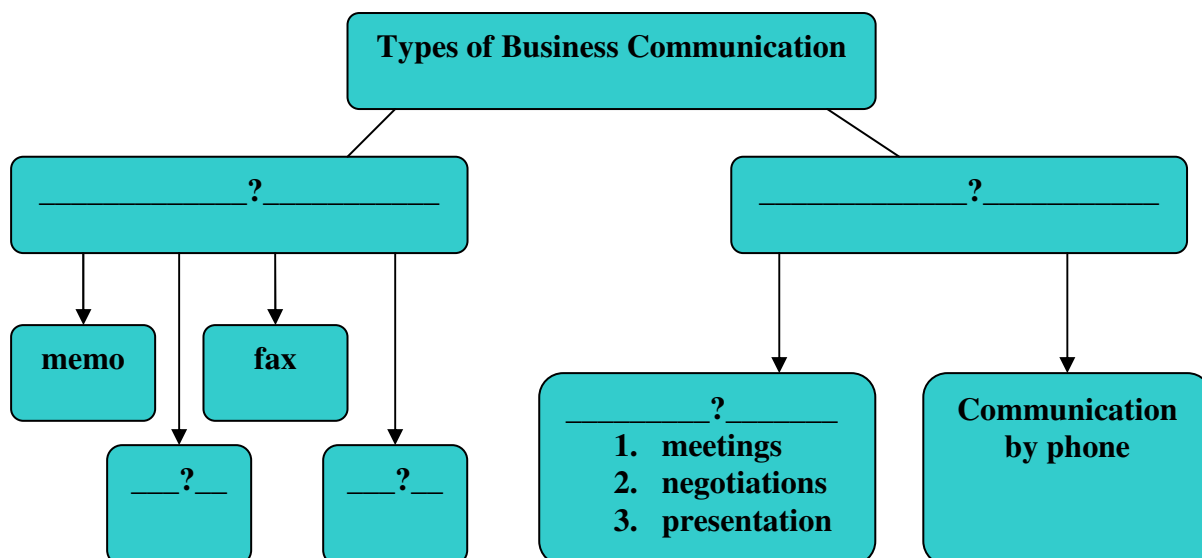
6. Извините, но я вынужден отложить нашу встречу. У меня срочная командировка за границу.
7. Я думаю, прибавка к заработной плате сможет компенсировать работу сверхурочно и по выходным дням.

UNIT 2. TYPES OF BUSINESS COMMUNICATION

1. Работая в парах или небольших группах, объясните, как вы понимаете следующие термины.



2. Заполните диаграмму. Прочитайте текст и проверьте правильность заполнения диаграммы. Озаглавьте текст.



TEXT

In the business world, communication is the oil that keeps corporate machines running. It is the glue that holds small businesses together. Business is all about building and maintaining relationships with partners, employees, or customers. Everything from employee satisfaction to productivity and efficiency relies on good communication. In business there is hardly any room for errors in communication. A miscommunication at high levels of a company can make a huge loss. That is why it is important for everyone from top management to the lowliest employee to understand how to communicate his or her ideas, instructions and expressions with the utmost clarity. There are some types of communication that are used in business.

Oral communication is probably the most important form of communication in business. Information is passed on, feedback is received and relationships are formed using spoken words. Spoken communication often combines verbal communication and non-verbal communication, such as tone of voice, body language, etc. Sometimes the meaning of what someone says can change completely when a different tone of voice is adopted. In customer relations, especially, it is important to be aware that tone of voice, intonation, and body language play an important part in communicating. In customer service, the words must be accurate, clear, leaving no room for ambiguity and the tone of voice, body language, and intonation need to communicate confidence and understanding. Oral communication is divided into face-to-face communication and communication by phone.

According to the survey conducted among business professional face-to-face communication is considered to be the most important and essential type of communication in business. Face-to-face meetings build stronger, more meaningful business relationships. It is also easier to read body language and facial expressions and interpret non-verbal communication signals. Respondents agreed that face-to-face communication is best for persuasion, engagement, inspiration, decision-making, and reaching a consensus.

When face-to face communication is impossible the easiest and the most convenient way to contact your business partner is by phone. But as telephone communication lacks the visual element present in face-to-face communication, the auditory element becomes the principal conveyor of meaning. For this reason, effective telephone use requires greater attention to speaking clearly and listening attentively than in case of face-to-face communication.

Business writing is a critical aspect of how people can share information with each other in an efficient, professional manner. Formality is an important element of how business writing is conducted today. In fact, each document is considered to be a legal document, which you can always refer to. There are a few types of business writing that people may come across at work: emails, letters sent by post, faxes, memos, minutes, taken at the meetings, summaries, etc. People use business writing to ask for a job, to make inquiries, to order some goods, to make complaints, etc. The main feature of business writing that unites all forms (memos, emails, letters, documents, etc.) together is the style. No matter what kinds of documents you are writing, you have to be concise, clear, and to convey information in an effective way.

3. **Согласитесь или опровергните утверждения. Используйте одну из речевых моделей.**

Models:

In my opinion – По моему мнению

I think (believe) – я думаю (полагаю)

I'm sure that ... – Я уверен, что ...

1. Non-verbal communication doesn't play an important part in doing business.
2. Oral communication often combines elements of verbal and non-verbal communication.
3. Communication by phone is the best way of decision-making and reaching a consensus.

4. The auditory element becomes the principal conveyor of meaning when it comes to telephone conversations.
5. There are two main features of business writing: formality and special style.
6. People may use business writing only if they work in the office.

4. Работа в парах. Составьте пять общих и пять специальных вопросов по тексту. Проверьте правильность составления вопросов друг у друга. Задайте их друг другу и дайте ответы.

5. Работа в парах. Обсудите в форме диалога, какие преимущества и недостатки могут иметь следующие виды делового общения: личное общение, общение по телефону, письменное общение.

6. Используя диаграмму из упражнения 2, составьте краткий пересказ текста.

Любой деловой текст включает в себя такие высокочастотные английские глаголы, как *do, make, get, come, run, etc.* – глаголы широкой семантики; образующие самые многочисленные грамматические формы, словосочетания и идиомы. В деловом английском языке часто используются общеизвестные и распространенные слова, которые в деловом контексте получают новые значения: e.g. *to run a training programme* – проводить обучающую программу, *to be promoted* – получить повышение по службе.

7. Подберите русские эквиваленты к словосочетаниям и выражениям из левой колонки.

1. to make a profit	a. написать/составить отчет
2. to make a complaint	b. договориться о встрече
3. to make a loss	c. составить резюме
4. to make a CV	d. управлять компанией
5. to make an appointment	e. платить наличными
6. to make inquiries	f. вести протокол (совещания/заседания)
7. to do business with a company	g. ездить в командировку
8. to run a company	h. навести справки
9. to run out of time	i. укладываться в сроки
10. to write a report	j. написать сопроводительное письмо
11. to write a covering letter	k. приносить прибыль
12. to go on a business trip	l. оплачивать кредитной картой
13. to go bankrupt	m. не укладываться во времени
14. to pay cash	n. обанкротиться
15. to pay by a credit card	o. понести убытки
16. to pay in advance	p. вести дела с компанией
17. to meet the deadline	q. делать предоплату
18. to meet the requirements	r. отвечать (соответствовать) требованиям
19. to take the minutes	s. ответить на телефонный звонок
20. to take a call	t. подать жалобу/обратиться с жалобой

8. Переведите предложения на английский язык, используя словосочетания из упражнения 7.

1. Как будете платить: наличными или кредитной картой?
2. Я сделал несколько телефонных звонков и навел справки обо всех потенциальных конкурентах. Всю подробную информацию Вы найдете в отчете, который я подготовил.
3. Кто в вашем отделе отвечает за ведение протокола на совещаниях?
4. Если мы продолжим вести дела с этими поставщиками, мы скоро понесем убытки.
5. Кто управляет этой компанией? – Я не знаю, я работаю здесь всего лишь неделю.
6. Вы часто ездите в командировки за границу? – Нет, не часто. Честно говоря, это моя первая поездка за рубеж.
7. Вы слышали новость? Наш главный конкурент обанкротился!
8. Он очень занятый человек. Если Вы хотите поговорить с ним с глазу на глаз, Вам необходимо договориться о встрече заранее.
9. Если Вы хотите устроиться на работу, Вам необходимо составить резюме и написать сопроводительное письмо.
10. Наша работа очень напряженная; мы постоянно должны укладываться в сроки.

9. Выберите правильный вариант ответа.

Asmah Hello, Hasnah. You are looking worried. _____ **1** _____ (to express concern)

Hasnah I'm rather upset. I failed the Mathematics test again.

Asmah _____ **2** _____ (to express sympathy) Have you thought of getting some tuition?

Hasnah I think I'll have to.

Asmah I'm sure you'll be able to do better. _____ **3** _____ (to encourage) You have to practice a lot.

Hasnah Thanks for the advice.

1. **To express concern**
 - A Can I help?
 - B Tell me about it.
 - C What's the problem?
 - D I hope nothing is wrong.
2. **To express sympathy**
 - A You need help.
 - B I'd like to help.
 - C That's not so bad.
 - D I'm sorry to hear that.
3. **To encourage**
 - A Cheer up.
 - B Don't be worried.
 - C Just keep on trying.

D There's always another time

Rosnah How much is this microwave oven?

Salesgirl It's \$850.

Rosnah _____ **1** _____ (**to bargain**) That's beyond my budget.

Salesgirl _____ **2** _____ (**to refuse**)

Rosnah Do you have a cheaper model?

Salesgirl Yes. _____ **3** _____ (**to suggest**) It's only \$600.

1. **To bargain**

- A It's quite expensive.
- B Do you offer a discount?
- C Can you reduce the price?

. **To refuse**

- A The prices are fixed.
- B I'm afraid I can't.
- C It's a very good price.
- D I'm giving you a fair price.

. **To suggest**

- A What about this one?
- B This model is smaller.
- C Do you like this one?
- D I think you will like this one.

UNIT 3. MAKING CONTACTS

1. Ответьте на следующие вопросы.

1. Do you have any strategies for starting conversations with people you see for the first time?
2. Do you think it is possible to learn the skills of keeping the conversation going?
3. Which topics do you consider to be safe for the first conversation?
4. Which topics will you try to avoid not insulting or offending your partner?
5. What is a small talk? Why do you think it is important in business communication?

2. Прочитайте и переведите текст. Дайте краткие ответы на поставленные в тексте вопросы.

TEXT

SMALL TALK

WHO makes small talk?

People with many different relationships use small talk. Though we often teach children not to talk to strangers, adults are expected to say at least a few words in certain situations. It is also common for people who are only acquaintances to use small talk. Other people who have short casual conversations are office employees who may not be good friends but work in the same department. Customer service representatives, waitresses, hairdressers and receptionists often make small talk with customers. If you happen to be outside when the mailman comes to your door you might make small talk with him too.

WHAT do people make small talk about?

There are certain "safe" topics that people usually make small talk about. The weather is probably the number one thing that people who do not know each other well discuss. Another topic that is generally safe is current events. As long as you are not discussing a controversial issue, such as a recent law concerning equal rights, it is usually safe to discuss the news. Sports news is a very common topic, especially if a local team or player is in a tournament or play-off or doing extremely well or badly. Entertainment news, such as a celebrity who is in town, is another good topic. If there is something that you and the other speaker have in common, that may also be acceptable to talk about. There are also some subjects that are not considered acceptable when making small talk. Discussing personal information such as salaries or a recent divorce is not done between people who do not know each other well. Compliments on clothing or hair are acceptable; however, you should never say something (good or bad) about a person's body. Negative comments about another person not involved in the conversation are also not acceptable. Also, it is not safe to discuss subjects that society deems controversial such as religion or politics. Lastly, it is not wise to continue talking about an issue that the other person does not seem comfortable with or interested in.

WHERE do people make small talk?

People make small talk just about anywhere, but there are certain places where it is very common. Most often, small talk occurs in places where people are waiting for something. For example, you might chat with another person who is waiting for the bus to arrive, or to the person beside you waiting to get on an airplane. People also make small talk in a doctor's or dentist's waiting room, or in queues at the grocery store. At the office, people make small talk in elevators or lunchrooms and even in restrooms, especially if there is a line-up. Some social events (such as a party) require small talk among guests who do not know each other very well.

WHEN do people make small talk?

The most common time for small talk to occur is the first time you see or meet someone on a given day. For example, if you see a co-worker in the lounge you might say hello and discuss the sports or weather. However, the next time you see each other you might just smile and say nothing. If there is very little noise that might be an indication that it is the right time to initiate a casual conversation. You should only spark up a conversation after someone smiles and acknowledges you. Do not interrupt two people in order to discuss something unimportant such as the weather. If someone is reading a book or writing a letter at the bus stop it is not appropriate to initiate a conversation either. Another good time to make small talk is during a break in a meeting or presentation when there is nothing important going on.

WHY do people make small talk?

There are a few different reasons why people use small talk. The first, and most obvious, is to break an uncomfortable silence. Another reason, however, is simply to fill time. That is why it is so common to make small talk when you are waiting for something. Some people make small talk in order to be polite. You may not feel like chatting with anyone at a party, but it is rude to just sit

in a corner by yourself. After someone introduces you to another person, you do not know anything about him or her, so in order to show a polite interest in getting to know him or her better, you have to start with some small talk.

3. **Согласитесь или опровергните утверждения.**

1. It is common to use small talk when you are waiting in a long line-up.
 - a) True
 - b) False
2. Religion is a "safe" topic when making small talk.
 - a) True
 - b) False
3. It is rude for both children and adults not to make small talk with strangers.
 - a) True
 - b) False
4. It is inappropriate to make small talk with your mailman.
 - a) True
 - b) False
5. Sport is not a safe topic when making small talk.
 - a) True
 - b) False
6. One should never compliment another person's clothes in order to make small talk.
 - a) True
 - b) False
7. Politics is a controversial subject according to society.
 - a) True
 - b) False
8. It is common to discuss the weather in an elevator.
 - a) True
 - b) False
9. It is rude to interrupt a conversation in order to make small talk.
 - a) True
 - b) False
10. One reason people use small talk is to eliminate an uncomfortable silence.
 - a) True
 - b) False

4. **3. Разделите слова из текста, найдите глаголы. Переведите их на русский язык и составьте с ними предложения.**

Entertainment involve friend weather conversation presentation anything event employee stranger
airplane chat religion occur rude letter appropriate feel corner reach office salary.

5. **Найдите определение понятия "small talk" и переведите это понятие на русский язык.**

1. Any communication process between individuals that is intended to reach a compromise or an agreement to the satisfaction of both parties.
2. A conversation, such as one conducted by a reporter, in which facts or statements are elicited from another.

3. Casual or trivial conversation, chitchat about unimportant subjects of conversation, as opposed to serious or weighty ones.
4. An exchange of ideas or opinions.
5. Something, such as a lecture or speech that is set forth for an audience.

6. Посмотрите на фразы, приведенные ниже, и распределите их по соответствующим колонкам таблицы.

Topics which are safe for small talk	
Topics which are best avoided for small talk	

1. "What sort of music do you like?"
2. "You seem to have put on some weight"
3. "Who did you vote for at the last election?"
4. "The garden looks lovely, doesn't it?"
5. "It's a lovely day today, isn't it?"
6. "Do you believe in God?"
7. "Hello. May I introduce myself? My name is Mark"
8. "What a lovely dog. What is his name?"
9. "How is your family?"
10. "Why is British food so bad?"
11. "How much do you earn?"
12. "How old are you?"
13. "I like your watch. A Rolex, isn't it?"
14. "What do you think of the presentation?"

7. Работа в парах. Составьте по образцу небольшой разговор, используя одну или несколько допустимых фраз из предыдущего задания.

Model:

William : Morning, Paul.

Paul : Oh, morning, William, how are you?

William : Fine, thanks. Have a good weekend?

Paul : Yes, thanks. Catch you later.

William : OK, see you.

8. Прочитайте и переведите диалоги. Ответьте на вопросы.

1. What topics do the speakers discuss?
2. Are these topics safe?
3. Do they get on well with each other? Why do you think so?
4. What mistakes do they make?

Conversation 1

A: Is this your first visit to Russia?

B: Yes, it is, actually. Fascinating place!

A: Yes, that's right. I come here quite a lot. What do you do, by the way? I see you work for Galaxy.

B: How did you know? ... Oh, yeah, my badge. I'm in R&D. Molecular modeling, to be precise.

A: Really? We should talk. Can I offer you a drink?

B: Oh, no, thank you.

A: Are you sure?

B: Well, ok, just a little coffee. And what line of business are you in?

Conversation 2

A: Hi, Sandra Smith, High Engineering. Would you mind if I join you?

B: Erm, no. Michael Smooth.

A: Pleased to meet you, Mike. Try one of these – they are delicious.

B: No, thanks, but seafood doesn't agree with me.

A: Oh, then try this cheese instead. It's good too. Haven't we met before? In Warsaw, perhaps?

B: I don't think so.

A: But I was sure I recognized you... You are an Aquarius, aren't you? I can tell.

B: Well, I don't know. I'm not really into horoscopes, I'm afraid.

A: When is your birthday?

B: Oh, on the 5 of February.

A: I knew it! A typical Aquarius.

B: Er, yes. If you excuse me, I have to make an urgent phone call. It's been nice talking to you.

Conversation 3

A: I really enjoyed you talk this morning.

B: Oh, thank you very much.

A: You have mentioned some interesting things. I'm Anna Mellor, by the way. I'd like to talk to you about some of your ideas. My company may be interested in your product. Where are you staying?

B: At the Hilton.

A: I'm at the Sheraton. Why don't we fix up a time to chat over a drink? Here is my business card.

B: Oh, thank. I've got mine here... somewhere.

A: Don't worry. I know who you are. So, how are you enjoying the conference?

B: Well, it's rather good. There are more people than ever this year. But isn't this weather awful? Half a meter of snow this morning, I heard.

A: Yes, it's getting cold here in Moscow.

B: Would you excuse me a moment? I'll be right back.

Conversation 4

A: So, how is business?

B: Fine. This merger meant quite a lot of work for us, but, fine.

A: Well, mergers are often difficult. So, what do you think about the Middle-East situation?

B: I'm sorry?

A: The crisis in the Middle East. It was in the news this morning.

B: Er, well, I...

A: I mean, it must affect a company like yours - you are in oil.

B: No, I think, you've made a mistake. I'm not in oil. I work for BMW.

A: BMW? Oh, sorry! I thought you were someone else.

B: That's ok. If you excuse me I must just go and say hello to someone.

Conversation 5

A: I like your watch. A Rolex, isn't it?

B: Well, to be honest, but don't tell anybody, it's a fake.

A: No! It looks real to me. Where did you get it?

B: Egypt. It cost me twenty five dollars.

A: Amazing! So, do you know many people here?

B: No, not really. It's the first time I've been to such a conference.

A: Me too. So, what is your hotel like?

B: Pretty comfortable. Nothing special, but it's ok, I suppose.

A: You are at the Holiday Inn, aren't you? Last year they held this conference in Mexico. The Hilton Cancun Fabulous Hotel, they say.

B: Cancun! A bit warmer than here, I think.

A: Yes, I went there on holiday once. A beautiful place! Can I get you anything from the buffet?

B: Oh, that's all right. I'll come with you. I'd like some more of that caviar before it all goes.

9. Найдите в диалогах английские эквиваленты следующим русским предложениям.

1. Кстати, чем Вы занимаетесь?
2. В какой сфере бизнеса Вы работаете?
3. Приятно познакомиться.
4. Вы не будете возражать, если я к Вам присоединюсь?
5. Было приятно с Вами пообщаться.
6. Где Вы остановились?
7. Как Вам нравится конференция?
8. Я думаю, Вы ошиблись. Я не работаю в сфере нефтяной промышленности.
9. Извините, мне нужно отойти на минуту. Я скоро вернусь.
10. Я первый раз на подобной конференции.

10. Составьте вопросы, используя слова и выражения, приведенные ниже.

1. So, who/work for?
2. Where/your company/based?
3. What/ do here?
4. Where/staying?
5. Giving/ presentation?
6. How/enjoying/conference?
7. Where/come from?
8. Interested in/football?
9. First time/Berlin?
10. Know/many people here?
11. What/line of business?

11. Соотнесите вопросы из упражнения 10 с приведенными ниже ответами.

1. _____ - Actually, not very many. This is the first time I've been to such

- events.
2. _____ - Paris. Our offices are in the city centre.
 3. _____ - Iberica Electric. It's a large international company.
 4. _____ - To be honest, not very much. But my husband is. He doesn't miss a single match.
 5. _____ - No, me not. My colleague is. I'm here just to help him.
 6. _____ - Russia. I was born in St. Petersburg.
 7. _____ - I'm in marketing.
 8. _____ - No, I have been there twice before. One is on a business trip, the other is on holiday. I like this city very much.
 9. _____ - Well, it's rather good. This year there are more speakers with interesting presentations.
 10. _____ - In the Sheraton. It's a great hotel with all modern conveniences.
 11. _____ - I'm giving a presentation.

12. Прочитайте отрывки из диалогов. Выберите соответствующую форму глагола. Сформулируйте на русском языке правило употребления глаголов в простом прошедшем времени (Past Simple Tense) и настоящем совершенном времени (Present Perfect Tense).

1. A: **Did you try/Have you tried** sushi before, Mr. Winter?
B: Yes, I **did/I have**. I **had/have had** it last time I **was/have been** here. I like it very much.
2. A: I'd like to introduce you all to Dr. Sterling, who **came/has come** over from our Sydney office to spend a few days at our research centre. Welcome to Washington, Dr. Sterling.
B: Thank you very much. It **was/has been** kind of you to invite me.
3. A: ...And then Manchester **scored/has scored** the winner. **It was/has been** an incredible goal! **Did you see/Have you seen** the game last night?
B: Yes, I **did/have**. **Wasn't it/Hasn't it been** a great match? One of the best I ever **saw/have ever seen**.
4. A: Rain **stopped/has stopped** the game again yesterday?
B: Sorry?
A: The cricket. They **cancelled/have cancelled** the match.
B: Oh, they **didn't/haven't!** Well, we certainly **didn't see/haven't seen** much cricket this summer.
5. A: I think this is your first visit to Holland, isn't it Tanya? Or **were you/have you been** here before?
B: Actually, I **came/have come** here on holiday once, but that **was/has been** a long time ago.
6. A: That's a terrible joke, Mike.
B: No, you see, he **copied/has copied** her test, right?
A: Mike, we **heard/have heard** the joke before. It's ancient. Let's get down to business.
B: I **thought/have thought** it **was/has been** funny.
7. A: What I do worry about is what is going on between our vice-president and our head of finance.
B: What **happened/has happened?**
A: **Didn't you hear/Haven't you heard?** I **thought/ have thought** everybody **knew/has known**.
B: No, nobody **told/has told** me anything.

13. Работа в парах. Прочитайте ситуацию, составьте и разыграйте диалог.

Situation: You are sitting at the conference in a city you both know very well. There have been a number of long and boring presentations. You haven't been introduced. Before you start a conversation, decide on the following:

- Where the conference is being held
- What the conference topic is
- Why you are here (to give a presentation, to make contacts, to do deals, etc).

<p>1. Speaker A Start the conversation: “I think this is the most boring presentation I’ve ever heard. I’m ... (name), by the way. I don’t think we’ve met before. ‘</p>	<p>2. Speaker B “Pleased to meet you. I’m ... (name).’ Continue the conversation by asking about one of the following:</p> <ul style="list-style-type: none"> • what your partner thinks of the conference • talks your partner has participated
<p>3. Speaker A Continue the conversation by asking about one of the following:</p> <ul style="list-style-type: none"> • your partner’s company (location, main activities) • your partner’s job (how long he/she has had it) • where your partner is staying (service, comfort, conveniences) 	<p>4. Speaker B Continue the conversation by talking about one or more of the following:</p> <ul style="list-style-type: none"> • the city (the architecture, prices, sights) • the weather (typical for this time of the year) • shopping (the best places you have found to buy presents)
<p>5. Speaker A Continue the conversation by talking about one or more of the following:</p> <ul style="list-style-type: none"> • sightseeing (the places of interest you’ve already visited) • the nightlife (a restaurant, a bar you’ve visited) • a recent item of news (politics, sport, etc.) 	<p>6. Speaker B Break off the conversation, making an excuse.</p>

UNIT 4. HOLDING A MEETING

1. Прочитайте словосочетания со словом “meeting”. Подберите к ним русские эквиваленты.

to arrange/to set up	a meeting	посетить собрание, совещание
to postpone/put off		пропустить встречу, совещание
to cancel		отменить встречу, совещание
to run/chair		отложить встречу
to attend		договориться о встрече
to miss		быть председателем собрания, совещания

2. Выберите подходящие по смыслу глаголы и заполните пропуски.

1. Can we _____ up a meeting for Monday next week? (arrange/agree/set)
2. Something came up so they had to _____ Monday's meeting till Friday. (postpone/cancel/fix)
3. Monica is off sick so Michael will have to _____ the staff meeting. (charge/chief/chair)
4. He has to _____ the meeting in Berlin because his boss is in Spain. (go/attend/visit)
5. It's a very important meeting so make sure you don't _____ it. (miss/lose/avoid)
6. She decided to _____ the meeting because there was nothing to talk about. (cancel/arrange/fix)
7. I asked Jane to _____ the meeting next week, but there were no rooms available. (run/cancel/arrange)
8. They _____ the meeting, but they didn't hear anything interesting. (postponed/missed/attended)

3. Заполните пропуски словами из рамки. С какими утверждениями Вы согласны?

waste, find, make, chat, discuss, criticize, exchange

Meetings are...

- a. an ideal opportunity to _____ points of view
- b. the best place to _____ key decisions
- c. a safe environment in which to _____ important issues
- d. a rare chance to _____ with other people
- e. the only way to _____ out what's really going on
- f. an open invitation to _____ each other
- g. the perfect excuse to _____ some time.

4. Прочитайте мнения людей о совещаниях, в которых они участвовали. Чем вызвано их недовольство? Составьте список возможных проблем, которые могут возникнуть при организации и проведении совещаний. Обсудите возможные варианты решения этих проблем.

1. Well, nothing interesting was ever discussed in a boardroom. That's why it's called a boardroom – people go there to be bored. Moreover, most offices are unsuitable for long meetings.
2. The same two or three people seem to dominate. The rest of us seem to switch off – daydream, count the minutes. I sometimes play games on my laptop with the sound off.
3. I try to stop them over-running. We sometimes hold meetings without chairs. That speeds things up a lot. I've even tried showing a red card to people, who can't stop talking in time, like in football.

4. They are usually badly organized. Nobody sticks to the point. People digress all the time. It takes ages to get down to business. As they say: "If you fail to plan, you plan to fail."
5. You often get several people all talking at the same time. So no one is really listening to anyone else. They are just planning what they are going to say next. It's survival of the loudest.
6. Nobody seems to come to the meeting properly prepared. If you want a copy of the report, they don't have it with them. If you need to see the figures, they will get them back to you.
7. You often leave a meeting not really knowing what you are supposed to do next, what the action plan is. I usually end up phoning people afterwards to find out what we actually agreed.
8. It's a joke that everyone's opinion is valued. I mean how much you can disagree with the boss? After all, he is the boss!

5. Прочитайте и переведите текст. Составьте список рекомендаций для проведения продуктивного совещания.

TEXT

HOLDING A SUCCESSFUL MEETING

Nowadays business people spend so much time in meetings that turning meeting time into effective results is a priority for successful organizations. Actions that make meetings successful require management before, during, and after the meeting.

What is done before the meeting is as important as the meeting itself. To ensure the only necessary points will be covered it's necessary to create an agenda. An agenda is a list of items and points which are to be discussed during the meeting. When the agenda is ready it is usually distributed among everyone concerned. It is important to get feedback from the meeting participants about the proposed agenda. The organizers should also check the venue, making sure the room will be free, without interruptions, until the end of the meeting.

The person who will chair the meeting must be appointed in advance. The chairperson should be a good timekeeper. He should start a meeting on time, without waiting for latecomers. He should also appoint somebody to take the minutes, making sure that opinions and action points are noted. He should make sure that each point on the agenda is allocated the time it deserves and should keep to the timetable. When the time allocated to one point is up, the chairperson should make sure that discussion moves on to the next point, even if the issue has not been completely covered. The chairperson should make sure that each participant has the chance to make the point, and should deal tactfully with disagreements. He should also try to avoid digressions, where people get off the point. Finally, he should ensure the meeting finishes on time or earlier.

After some meetings it's necessary for the minutes to be circulated, especially if there are action points that particular people are responsible for. At the next meeting the chairperson should ask for the minutes to be read out and see if everybody agrees that it is an accurate record of what happened, and see if there are any matters arising. He should also check what progress has been made on the action points from the previous meeting.

Organizing a meeting it's necessary to remember that running an effective meeting is more than sending out a notice that your team is to meet at a particular time and place. Effective meetings need structure and order. Without these elements they can go on forever and not accomplish their goals. With a good agenda and a commitment to involving the meeting participants in the planning, preparation, and execution of the meeting, it is possible to hold a great meeting.

6. Составьте словосочетания, подобрав к словам из левой колонки подходящие по смыслу слова из правой колонки. Переведите словосочетания на русский язык.

1. to wait for	a. the time
2. to check	b. on time
3. to appoint	c. the venue
4. to make	d. digressions
5. to take	e. the point
6. to note	f. latecomers
7. to allocate	g. the minutes
8. to avoid	h. an agenda
9. to keep to	i. feedback
10. to get	j. the timetable
11. to create	k. a chairperson
12. to finish	l. action points

7. Прочитайте отрывки из речи председателя совещания. Заполните пропуски, подобрав подходящее по смыслу слово.

1. My name is Michael Stuart and I'm a personal assistant to the CEO. I'm responsible for arranging monthly meetings. I have to prepare (1) _____ and then to (2) _____ it to all the participants. I also have to send copies of the (3) _____ of the last meeting. It's my job to check the (4) _____, to make sure that the meeting room is suitable and that lunch has been ordered. You have to be a good (5) _____ to do a job like this.

1.	A diary	B agenda	C calendar
2.	A circle	B circulate	C circular
3.	A minutes	B seconds	C hours
4.	A avenue	B revenue	C venue
5.	A organization	B organizer	C organized

2. It's eleven o'clock so let's make a (1) _____, shall we? As you know, the (2) _____ of this meeting is to discuss car parking problem on the company premises. I want to know what you (3) _____ about it. Would you like to (4) _____ a discussion, Sarah? But please try to stick to the point and not to (5) _____.

1.	A start	B begin	C first
2.	A action	B matter	C purpose
3.	A believe	B aware	C think
4.	A open	B close	C explain
5.	A lose	B digress	C avoid

3. Ladies and gentlemen, it's nearly two o'clock. We're (1) _____ out of time, so we have to (2) _____ here. Just to (3) _____ up, we came here to decide whether to built a new parking lot or not. I've listened to both (4) _____ of the argument and it is clear that we have not (5) _____ an agreement. The working group will try to find a (6) _____ and present their suggestions at the next meeting. That's on April 14th at 11 o'clock. So, unless you have anything else to (7) _____, I think that's all for today. Thank you all for (8) _____.

1.	A walking	B moving	C running
2.	A stop	B still	C stay
3.	A add	B sum	C clear
4.	A faces	B people	C sides
5.	A made	B reached	C worked
6.	A compromise	B compound	C promise
7.	A check	B move	C add
8.	A being	B coming	C attend

8. Решите кроссворд. В вертикальной строке прочитайте совет председателю при проведении совещания.

1. Ok, let's get down to ...

B				N			S
---	--	--	--	---	--	--	---

2. Can I just stop you there for a ...

	M			M			
--	---	--	--	---	--	--	--

3. I totally ...

			D		S				E	E
--	--	--	---	--	---	--	--	--	---	---

4. Perhaps I didn't make myself ...

					L			R
--	--	--	--	--	---	--	--	---

5. What do you ...

T	H			
---	---	--	--	--

6. With respect, you don't quite seem to

	N	D			S			N	
--	---	---	--	--	---	--	--	---	--

7. I agree with you up to a ...

					P			
--	--	--	--	--	---	--	--	--

8. If I could just finish what I was ...

	A			N	G
--	---	--	--	---	---

9. Ok, let's move ...

				N	
--	--	--	--	---	--

10. I'm afraid that's completely out of the

			Q		S			O	
--	--	--	---	--	---	--	--	---	--

11. Perhaps we can come back to this ...

L			E	
---	--	--	---	--

12. Maybe we should take a short ...

	R	E		
--	---	---	--	--

13. Does anyone have any ...

S		G		E			I		N	S
---	--	---	--	---	--	--	---	--	---	---

14. Can I just come in ...

		H			E
--	--	---	--	--	---

15. Sorry, I don't quite see what you ...

M				
---	--	--	--	--

16. I think it's as far as we can go ...

	T				Y
--	---	--	--	--	---

17. We'll have to break off here, I'm ...

			F	R			D
--	--	--	---	---	--	--	---

9. Прочитайте и переведите высказывания, которые можно услышать во время совещания. Заполните пропуски подходящими по смыслу словами из рамки. Определите, какие фразы обычно произносит председатель, а какие – участники совещания.

right, mean, understand, interrupt, earlier, move, minutes, afraid, think, purpose, record, wrong, action, point (2), sure, allocated

- Steve, will you take the _____ today?
- Does everybody agree that the minutes are an accurate _____ of the last meeting?
- In the _____ points it says Sam is responsible for writing the report. Is that right?
- Now, we have _____ 30 minutes to the discussion of point 1, so let's get started.
- I want to make the _____ that we are still two people short in the office.
- Let's _____ on to the next point or we won't finish on time.
- What is the _____ of this meeting? What do we hope to achieve?
- I take your _____ about the new advertisement, but it's too late to change anything.

9. I know what you _____ about him, but he is very good with customers.
10. Sorry to _____ you, but what you've said is against the company policy.
11. To go back to what I was saying _____, we still need some money to solve this problem.
12. If I _____ you correctly, we won't finish the project on time. Is that right?
13. Are you _____ that we have to close this parking on our company premises?
14. I know what you _____ but we have to look at the human factor as well as the numbers.
15. I'm _____ I can't agree with you here.
16. I think you are _____. It's impossible to meet this deadline.
17. You are absolutely _____. We are to reduce prices.

10. Скажите, какие фразы из упражнений 8 и 9 можно употребить в следующих ситуациях.

- Open a meeting
- Ask for an opinion
- Interrupt
- Speed things up
- Ask for clarification
- Agree
- Disagree
- Ask for ideas
- Close a meeting

11. Прочитайте сообщение, написанное руководителем для своих сотрудников. Заполните пропуски словами из рамки. К какому типу документа можно отнести данное сообщение? Почему Вы так считаете?

venue, items, agenda, minutes, attend

_____?

DATE: 10th February
 TO: All managers
 FROM: Steve Clapton, Chief Executive
 SUBJECT: Next week's meeting

Please find enclosed the _____ for next week's meeting. Please make a note of the _____: we are meeting in room 3. Please let me know if you are unable to _____.

Please find attached copy of the _____ from the last meeting.

If you want me to add other _____ to the agenda, please let me know.

Steve Clapton

12. Ознакомьтесь с повесткой дня и протоколом совещания. Ответьте на вопросы.

1. What information about the meeting can the participants get from the agenda?

2. What issues are to be discussed at the meeting?
3. What information can the participants get from the minutes?
4. What decisions have been made about each issue?
5. Why is it important to take the minutes during the meeting?

AGENDA

Staff meeting, 15th February
Venue: Meeting room 3

Apologies for absence
Minutes of the last meeting

Issues to be discussed:

- Car parking
- Company restaurant
- Holiday dates
- AOB (any other business)

MINUTES

Date: 15th February

Venue: Meeting room 3

Chair: Steve Clapton

Present: Rebecca Palmer, Sam Wills, Monica Brown, Nick Flemming

Apologies and minutes: Michael and Catherine sent their apologies. Rebecca read the minutes of the last minutes and everybody agreed that they were accurate. Sam agreed to take the minutes of this meeting.

1. Car parking

There was a lot of discussion about building a site for car parking. Steve, Rebecca and Sam were for this, but Monica and Nick were against.

It was decided to ask employees if they would support the idea to reduce car use, like leaving their cars at home one day a week. There was a difference of opinions between Rebecca and Monica about this.

Action points: Monica is to find out opinions of all employees who use cars and report at the next meeting.

2. Staff restaurant

Sam said that we must find exact costs of the restaurant today, compared to costs of possible outside food supplier. We decided to set a target of a 10 per cent reduction in costs for the company.

Action points: Sam is to research the costs and report back by email before the next meeting.

3. Staff holidays

We discussed what happened last year when too many people were away in August and customers complained. We decided that staff must take two weeks in winter and two weeks in summer. We voted on this and the vote was unanimous.

Next meeting: 1st March, meeting room 5

Повторение грамматики: способы перевода английских глагольных времен в придаточном предложении, зависящим от главного предложения с глаголом-сказуемым в

прошедшем времени.

Главное предложение

that

Придаточное предложение

He said Он сказал,	(that) что	he had written the letter to the company. он уже написал письмо в компанию
		he was writing a letter to the company. он пишет письмо в компанию (сейчас)
		he wrote many letters to different companies он пишет много писем в разные компании
		he would write a letter to the company он напишет письмо в компанию (в будущем)

13. Переведите предложения на русский язык. Подчеркните сказуемые предложений. Сформулируйте правило согласования времен в английском предложении.

1. The buyers informed the sellers that they were prepared to double the order.
2. They were informed yesterday that the company would pay all accounts promptly.
3. We informed the suppliers that the goods had been delivered to the port.
4. The buyers telegraphed to the suppliers that they could not accept the offer on the conditions proposed.
5. The sellers stated in their offer that orders would be executed within six weeks.

14. Переведите предложения на английский язык.

1. Она сказала, что знает два иностранных языка.
2. Он сказал, что вернется очень скоро.
3. Я был уверен, что они будут рады меня видеть.
4. Я был уверен, что он работает в нефтяной компании.
5. На совещании мы узнали, что компания согласилась подписать контракт на наших условиях.
6. Я боялся, что Вы откажитесь принять участие в презентации нашей новой продукции.
7. Я был уверен, что Вы уже написали им письмо.
8. Он сказал, что товары доставлены вовремя.
9. Мы сказали, что сможем написать отчет только после того, как получим все материалы.
10. Он сказал, что фирма экспортирует это оборудование с 1990 года.

15. Ролевая игра "Solving a problem".

Организация и проведение игры:

1. Belleview - город на юго-восточном побережье Англии. Прочитайте две статьи из местной газеты 1982 и 2012 года. Как изменился этот город?

Belleview, UK; 30 years ago Belleview is one of England's most beautiful	Belleview, UK; today Belleview is certainly worth visiting if you are
--	---

towns, with its white villas, historic main street, public gardens and long promenade by beach. Many retired people come to live in Belleview, attracted by its healthy climate and peaceful, quiet atmosphere. There are ten restaurants in the town, as well as many cafes and tea rooms, several of which are in the picturesque harbour area. The town has a famous spa, an aquarium and an interesting museum. Most people spend their Saturday evening taking a leisurely walk along the promenade.

young and looking for an exciting, international atmosphere. The two new universities, numerous English language schools and the building of an airport nearby have totally changed the town. There are now 200 restaurants and 50 night clubs. The town's population has increased greatly in recent years, and now over 60% of the population is under 40 years old. Belleview is a lively, noisy seaside town, but it's not the safest one – you must be careful in clubs and on the beaches. On Saturday evenings the town centre is taken over by young people enjoying themselves and the restaurants and clubs are really lively.

2. Прочитайте два письма, которые пришли в редакцию местной газеты. Автор первого письма – студент, который живет и учится в этом городе три года. Автор второго письма – коренной пятидесятилетний житель города. Что думают эти люди о проблемах города?

I can't agree with the opinions expressed in your recent article about Belleview. I'm a 20-year-old student and have been studying here for the last three years. I think Belleview is a great town to live in. There is so much to do here for people like me, and the night life is fantastic. My friend and I go to a new night club every weekend. We really enjoy sports facilities in Belleview, especially the opportunities to go surfing and water skiing.

I hope very much that the town will sell the old aquarium and use the money to build a new sports and swimming pool complex.

Yours sincerely,
Jack Hampton

I wish to respond to your recent criticism of our town. I have lived in Belleview for over forty years, so my opinion might be of interest to your readers. Firstly in recent years the town seems to be focusing more on young people than on older more mature people. Many top class restaurants have closed down and been replaced by fast food outlets that attract younger people. There are simply not enough places for older people to go to and enjoy themselves.

The beach used to be a lovely place for people to stroll around. Now it has become commercialized and is full of trendy boutiques and amusement places, all aimed at young people. The town centre is not a place to go to at night. It's full of noisy young people, and you don't feel safe here any more.

Finally, there is a rumour that our world-famous aquarium will be sold. I sincerely hope it won't happen.

Yours faithfully,
Sam Jackson

3. Разделитесь на три группы:

- Представители администрации города
- Представители общества молодежи
- Представители коренного населения (жители в возрасте 45-65 лет)

Прочитайте следующую информацию и подготовьте предложения для решения перечисленных ниже проблем.

- **Parking**
- **Fees for beaches**
- **Behaviour of young people**
- **Lack of facilities for older people**
- **The proposal to sell an aquarium**

Group 1: Representatives of town administration.

You don't have a lot of money to spend on large projects so you want to:

- Keep charging people to use the beaches – they are an important source of income.
- Sell town's aquarium because it's losing money and in poor conditions. You want to use the money to build a new sports and swimming pool centre.
- Charge more for parking to encourage people to use the excellent bus service.
- Make residents happier without spending too much money.

Group 2: Representatives of youth society

You are happy in Belleview. You want to:

- Use the beaches without paying fees.
- Persuade the administration to sell the aquarium. It is in poor conditions and fewer people go there nowadays. This money can be used on building a new sports and swimming pool centre.
- Have a new venue for visits by pop singers.
- Have free travel on buses for people under the age of 21

Group 3: Representatives of local population aged 45-65

You are unhappy in Belleview. You want to:

- Persuade the administration not to sell the 80-year-old aquarium. They should spend a lot of money on the aquarium to bring it up to the standards as it is one of the most famous sights of the town.
- Have more facilities in the town for older people (think of some examples).
- Have free parking for all resident car owners.
- Propose stricter penalties for bad behaviour by young people.

3. **Выберите председателя собрания и составьте повестку дня.**
4. **Каждая группа выбирает человека, который будет вести протокол.**
5. **После обсуждения обменяйтесь протоколами и обсудите их в своей группе.**

UNIT 5. BUSINESS TELEPHONE CALLS

1. Работа в парах. Обсудите вопросы с коллегой. Расскажите, что нового Вы узнали о его/ее опыте общения по телефону.

1. How often do you make phone calls?
2. In what situations do you prefer to use your phone?
3. When was the last time you called an organization for information? What happened?

4. Do you like recorded information or do you prefer to speak to a real person?
5. Have you ever had problems while talking over the phone? What kind of problems?
6. Have you ever made a phone call in English? Was it easy or difficult for you?
7. Why might it be difficult to make a phone call in English? What problems can arise?

2. Прочитайте высказывания о проблемах, которые могут возникнуть при попытке установить контакт с собеседником по телефону. Заполните пропуски словами из рамки. Расскажите о ситуациях, в которых вы сталкивались с подобными проблемами.

transfer, return, get (4), play, put, call, repeat, take, listen

1. You constantly _____ through to a voice mail system.
2. You _____ cut off in the middle of the call.
3. They _____ irritating music when you are put on hold.
4. People you call _____ a long time to answer.
5. People don't _____ your calls.
6. They _____ you on hold and forget about you.
7. You _____ an answer phone.
8. They _____ you to another person and you have to _____ your enquiry.
9. They don't _____ properly to what you are saying.
10. You continually _____ an engaged tone when you _____ somebody.

3. Прочитайте и переведите текст, обращая внимания на выделенные слова.

If you want to call somebody in a company, you pick up the phone and hearing the **dialing tone** you start to **dial the number** on the **keypad**. If you don't know the person's **direct line** number, you may dial the number of the company's **switchboard**. Then one of the following things may happen:

- The number rings but there is no answer.
- You hear the **engaged tone** because the person is already talking on the phone. In this case you'd better **hang up** and try again later.
- You **get through** but not to the number you wanted. The person on the other side of the line usually says that you have dialed **the wrong number**.
- The **operator** answers, you ask for the **extension** of the person you want to speak to.
- You are **put through** to the wrong extension. The person offers to **transfer** you to the right extension, but you **are cut off** – the call ends.
- The person you want to speak to is not at the desk and you **leave a message** on the **voice-mail**. You ask him to **call you back** or to **return your call**.

4. Прочитайте отрывки телефонных разговоров. Заполните пропуски выделенными словами из упражнения 3.

1. Call me at the office tomorrow. My _____ line is 8495 784562134. If I'm not there, leave a _____ on my _____ and I'll call you _____ when I get it.
2. All international lines are _____. Please _____ up and try again later.

3. 'Could I speak to Ms Wells, please?' – "Oh, I'm sorry. She is not on this _____ ; she is on 345. I'll put you through to the main _____. Just ask the _____ to transfer you to the Sales Department.
4. "Good morning. Theatre ticket hotline. How can I help you?" – "Oh, I think I have dialed the _____.
5. Hello, could you check a number for me? I was talking to someone there but I was _____ off. Now when I call, I just get the _____ tone.
6. "Could you help me to make a phone call to Germany, please?" – "Certainly, sir. Just _____ up the phone and _____ 9 to get a line. When you hear the _____ tone, dial 00 33 and then the number you want in Germany'.
7. This is Credit Card helpline. To check your balance, please press 1 on your _____. To make a payment press 2.
8. I got your message yesterday but I was too busy to _____ your call. I'll call _____ later, when you are at your desk.

5. Заполните пропуски словами и выражениями из рамки.

bad line, call me, Can I take a message? Could I speak to..., dialed the wrong number, engaged, hold, put me through, this is, you are through

- A** Sales Department. How can I help you?
B Oh, I must have (1) _____. Can you (2) _____ to Customer Service, please?
A I'm sorry, it's a (3) _____. Did you say Customer Service?
B Yes, that's right.
A Just a moment, please. I'm sorry but the line is (4) _____. Do you want to (5) _____?
B All right.
A (6) _____
B Hello. (7) _____ to the department manager, please?
C I'm afraid he isn't at the office this morning. (8) _____?
B Yes, please. (9) _____ Michael Jones. Could you ask him to (10) _____?
C Certainly, Sir. Good bye.
B Thank you. Good bye.

6. Работа в парах. Ознакомьтесь с ситуацией и разыграйте диалог.

Student A: You are phoning Travel Direct Company to find out about some airline tickets you ordered. You want to speak to Sandi Elliot to find out what is happening and why the tickets have not been delivered yet.

Student B: You work at Travel Direct Company. Sandi Elliot is on the other line at the moment.

Student A	Student B
	1. Answer the phone.
1. Ask to speak to Sandi Elliot.	
	2. Explain that Sandi is on the other line; ask the

	caller to hold or if he/she wants Sandi to call back.
2. Ask if she can call back.	
	3. Ask what the call is about.
3. Explain what the call is about.	
	4. Ask for the caller's number
4. Give your number and say when you can be contacted.	
	5. Check the number. Say thank you and finish the conversation.
5. Say goodbye.	

8. Прочитайте и озаглавьте текст. Составьте список рекомендаций для участников телефонного общения. Используйте модели.

Models:

- **You should...**
- **You'd better**
- **It's recommended**
- **You may/might**

Phone calls can often be challenging even in your own language, but when you are speaking a foreign language they are even more difficult. There is no body language to help you, the audio quality is not always perfect and there is more time pressure than in a face-to-face conversation. But there are some tips how to make telephoning in English less stressful.

If you have to make a difficult phone call, spend a few minutes preparing it. Think about what you want from a phone call. What might the other person say? Make notes of English phrases you can use during your call.

Try to relax a little. Make sure that you have enough time for the call and don't be in a hurry. It's better to have a successful ten-minute call than an unsuccessful three-minute call.

Sometimes receiving an unexpected phone call can be very stressful. To give yourself some time to prepare for the call, you might want to tell a "white lie" (*I'm sorry, I'm actually at the meeting right now. Can I call you back in ten minutes?*) and call back when you feel more confident.

Speak more slowly and at the lower pitch than you would during a face-to-face conversation. It makes you sound confident, helps the other person to understand you and calms you down if you are nervous.

Don't be afraid to ask a caller to repeat something (*I'm sorry, I still didn't catch it. Could you say it again more slowly?*). It's better for the caller to repeat a piece of information five times than for you to write down the wrong information.

Active listening strategies can help you to communicate more effectively on the telephone. When listening, say words like *right, ok, I see, I got it*, etc. to show that you are paying attention. The other person feels more relaxed if it is clear that you are still here and actively listening to him. Check each piece of information that the other person gives you – even if you think you have understood everything perfectly, you might have actually misunderstood something the other person said (*- My number is 8 495 784 5621 – Let me just read it back to you. So that's 8 495 784 5621*).

It can be difficult on the telephone to know when to speak yourself and when to let your partner speak. Since you and the person you are talking to can't see each other, you may have to use

verbal instead of non-verbal techniques, such as asking appropriate questions (*You'll be at the office tomorrow, won't you?*) or interrupting politely if the other person doesn't give you a chance to speak (*Could I interrupt you there for a second? I'd like to clarify some points?*).

Try to smile. Although it sound strange, but the other person can hear if you are smiling – it makes your voice friendlier.

8. Сопоставьте реплики из левой колонки с ответными репликами из правой.

1. Can you put me through to extension 589, please?	a. Certainly. I'm calling to confirm a reservation.
2. Do you want to hold or would you like to call back?	b. Could you tell her John Whitman from Western Clinics called?
3. I'd like to speak to Mr. Morris.	c. This is Mr. Mountain from Generics Pharmaceuticals.
4. May I ask who is calling?	d. Yes, of course, it's C-A-Y-T-O-N.
5. Can I ask the purpose of your call?	e. One moment, please. I'm putting you through.
6. I'm afraid she is out of the office right now. Can I take a message?	f. I'd like to enquire about flights to Amsterdam.
7. Can we arrange a meeting? What about Tuesday?	g. Speaking, please.
8. Could you spell your name, please?	h. No problem. What date would you like?
9. Travel Agency. How can I help you?	i. I'll check my diary. I'm afraid I can't make it Tuesday. What about Wednesday?
10. I'd like to book a single room in the name of Smith.	j. I'll hold.

9. Работа в парах. Выберите одну из ситуаций из упражнения 8 и разыграйте свой диалог в аудитории.

10. Прочитайте телефонные разговоры. Можно ли назвать их примерами эффективно-го делового общения? Почему вы так считаете?

<p>A Good morning, Hilton Hotel. Can I help you? B Yes, please... er... just a moment. A Hello? Are you still here? B Yes, sorry...em... A How can I help you? B Oh, yes, can I speak to, er, to, er ...Sylvia Parker, please? A Certainly, Sir. May I ask who is calling? B Sorry? A Can I have you name, please? B Oh, yes, it's John Powell, from Super Dent company. A Can I ask the purpose of your call, Mr. Powell? B Oh...em... I want to confirm the reservation for the conference. A Thank you, Mr. Powell. Putting you through</p>	<p>A Good morning, Hilton Hotel. Can I help you? B Yes, this is John Powell, from Super Dent company. Could I speak to Sylvia Parker, please? A Certainly, can I ask the purpose of your call, Mr. Powell? B I'd like to confirm the reservation for the next week's conference. A Thank you, Mr. Powell. Putting you through now.</p>
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11. Измените диалог таким образом, чтобы он стал примером эффективного делового общения.

- A Hello?
 B Hello.
 A Hello. Is that Electronics Ltd?
 B That's right.
 A Can I have a Customer Service Department, please?
 B Yes.
 A Sorry?
 B This is the Customer Service.
 A Oh, right. I'd like to speak to Mark Spell, please.
 B Yes.
 A Sorry?
 B That's me.
 A Well, why didn't you say so?
 B Can I help you?
 A Yes, I hope so. I'm calling about a defective product I bought yesterday in your shop.

Вежливость, как известно, является неотъемлемой частью любого делового общения. Чтобы овладеть навыками эффективного делового общения, необходимо освоить некоторые формулы общения для вежливого оформления просьбы или приказа:

Could you, please...? – Не могли бы вы...

Would you do me a favour and ...? – Не могли бы вы оказать мне услугу и ...

Would you mind ... ing? – Вы не будете возражать ...

I'd really appreciate it if you did it for me. – Мне было бы приятно, если бы вы сделали это для меня.

It'd be a great help if you could – Вы бы мне очень помогли, если бы могли ...

Для вежливого оформления вопроса или для уточнения информации при деловом общении часто используется косвенный вопрос.

Do you know ...?

Could you tell me ...?

I'd like to know ...

I wonder ...

При построении косвенного вопроса необходимо помнить, что порядок слов во второй части вопроса прямой, в отличие от общих и специальных вопросов.

Сравните:

How much does it cost? (специальный вопрос) – *I'd like to know how much it costs.* (косвенный вопрос)

Will he be at the office in the afternoon? (общий вопрос)– *Do you know if he will be at the office in the afternoon?* (косвенный вопрос)

12. Используя формулы вежливости, измените высказывания.

1. Get it done by Friday.
2. Mail it to my home address.
3. Tell her to come to see me.
4. Wait a minute.

5. Tell him I called.
6. Inform him about the delay.
7. Attend the meeting.
8. You will work overtime next week.

13. Прочитайте и переведите диалог, обращая внимание на косвенные вопросы.

A: “InterAir”. Can I help you?

B: Yes, please. I’d like some information about a flight arriving from Munich.

A: Yes. Do you know what the flight number is?

B: The flight number? I’m not sure. I know it leaves Munich at 6:30 p.m.

A: Oh, yes, it’s IA 745.

B: Yes, that’s it. Could you tell me what time it arrives?

A: Certainly, Sir. The arrival time is 8:25 p.m.

B: 8:25 p.m. Do you know if there is any delay?

A: No, the flight is on time.

B: Right, thank you very much

A: You’re welcome. Goodbye.

B: Goodbye.

14. Переделайте прямые вопросы в косвенные вопросы, обращая внимание на порядок слов.

1. What time does the flight leave?
2. What terminal does it leave from?
3. How long is the meeting with Mr. Hales?
4. Which car hire company is it?
5. Which models do they have available?
6. Do I need an international driving license?
7. Where are we staying?
8. Is it a nice place?
9. How far is the hotel from the nearest town?
10. Have they booked a meeting room?

15. Работа в парах. Прочитайте ситуацию, составьте и разыграйте диалог.

Student A: You are travelling on business in the UK. When you finish there you are going straight to another country for a special conference. You expected to receive the information about this trip from your office, but the hotel’s Internet connection doesn’t work and you don’t have any other access to your email account. Call your office to get the necessary information. Ask the questions in exercise 14. Make a note of all the information.

Student B: You were just about to send this email to your colleague when he/she called you. Answer his/her questions.

To: steve.clayton@megaline.com
 From: robert.mcmurdo@megaline.com
 Subject: Annual meeting

Steve,

You’re on flight BA 684 at 7:15 p.m. on the 18th of May from London Heathrow Terminal 2. You’ll be met by a taxi which will take you to the factory to meet Mr. Hales. It’s about 40 kilome-

ters from the airport.

You have got one hour with Mr. Hales. Then you leave to get to the hotel for the conference. You'll need to go across the country. AVIS have either a Range Rover or Jeep Grand Cherokee, whichever you prefer. Don't forget that you'll need to carry your passport and international driving license all the time.

The hotel is the Lodge. It's in the middle of the forest, twenty miles from the nearest town, and has five stars. All the rooms (including the meeting room) have been booked for the whole week.

Best wishes,
Robert

UNIT 6. BUSINESS LETTERS

1. Работа в парах. Обсудите вопросы с коллегой по группе.

1. What types of business correspondence do you know?
2. What is more popular now: a letter or an email? Why do you think so?
3. Business letters are often called "snail mail" Can you guess why?
4. When do you think it is necessary to write a letter instead of email?
5. What types of letters do you know?

2. Прочитайте текст и проверьте, правильно ли вы ответили на вопросы упражнения 1.

TEXT

BUSINESS LETTERS

Correspondence on paper has reduced a lot in recent years with the introduction of email. However, formal business letters are still used as they leave a written record which can be kept for reference. Business letters can be written in different situations: to apply for a job, to inquire information, to complain, to request actions, to propose a service, etc. There are the most common types of business letters:

- *Acknowledgement Letter*: This type of letter is written when you want to acknowledge someone for their help or support when you were in trouble. The letter can be used to just say thank you for something you have received, which is of great help to you.
- *Apology Letter*: An apology letter is written for a failure in delivering the desired results. If the person has taken up a task and he fails to meet the target then he apologizes and asks for an opportunity to improve the situation.
- *Complaint Letter*: A complaint letter is written to show that an error has occurred and that it must be corrected as soon as possible. The letter can be used as a document that is used for warning the reader.
- *Inquiry Letter*: The letter of inquiry is written to inquire about a product or service. If you have ordered a product and have not received it then you can write a letter to inquire when you can get it.
- *Order Letter*: This letter is used for ordering products. This letter can serve as a legal document to show the transaction between the customer and the vendor.

- *Letter of Recommendation:* This type of letter is written to recommend a person for a job position. The letter states the positive aspects of the applicant's personality and how he/she would be an asset for the organization. Letter of recommendation is even used for promoting a person inside the organization.

To write a successful business letter you need to use the right tone and to communicate your message to the reader using straightforward language. The way a letter is written reveals a lot about the person who is writing it and it also sends a message about the organization he or she works for. So it's very important to make sure that the information, layout, style and spelling are all correct before you send it.

Layout

When writing a business letter you should follow the standard format. The following components are obligatory for every business letter:

- Letterhead/address (without a name) of the writer
- Name and address of the recipient
- Date
- Opening statement
- Subject heading
- Body of the letter
- Closing
- Signature
- Name and job title of the writer

Language style

Business letters are usually quite formal in style. A conversational style is not appropriate, so you should avoid contractions, emoticons, colloquial words. You should also avoid writing sentences that are too long and that include complicated or unnecessary language. A straightforward letter will get your message across more effectively than a long wordy one. There are certain conventions concerning correct way to address people and to close your letter.

Opening

Letters always start with *Dear...* followed by the correct form of address. If the letter is going to someone whose name you don't know, it starts with *Dear Sir*, or *Dear Madam*, or *Dear Sir or Madam*. But if you do know the name, then you can begin with *Dear Mr/Ms Ingram*.

Closing

Letters are usually closed in standard ways. At the end of your letter you should include a short sentence like *I look forward to hearing from you* or *Please do not hesitate to contact me if you need further information*. Below that, you should put a closing phrase: *Yours sincerely* (for formal letters beginning with *Dear* and the name of the recipient), *Yours faithfully* (for formal letters beginning with *Dear Sir or Madam*), *Yours truly*, *Best regard*, *Best wishes* (for less formal letters).

3. Прочитайте пример делового письма и сопоставьте буквы с соответствующими частями делового письма.

- Body of the letter
- Signature
- Address of the writer
- Name and job title of the writer
- Closing
- Date
- Opening statement
- Subject heading
- Name and address of the recipient
- Signature

a.

Adventure Travel Ltd
2012 High Street
London W1M 2FM
Tel. + 44 35 983752
Fax. + 44 35 983752

Email. info@adventuretravel.com

b. Ms. Susan Benton
Office Manager
Island World Holidays
643 Highway street
New York 120012

c. 27 February 2012

d. Dear Ms. Benton

e. Our agreement

f. I am writing to thank you for visiting us in London so that we could discuss the details of our agreement on travel by our clients to New York. I think we covered all the points that we needed to talk about in order to reach a deal. I have asked our lawyers to draw up a contract for an agreement between our two companies.

Please find enclosed two copies of the contract. Please could you sign one copy and send it back to me by courier?

As agreed the first clients will be travelling to New York in a year, so we must work on the details of the tours that they will go on.

If this agreement is successful, we look forward to doing more business with you.

g. Yours sincerely

h. *M. Lindel*

j. Margaret Lindel
Sales Director, Adventure Travel Ltd.

4. Согласитесь или опровергните следующие высказывания.

1. Margaret doesn't know the name of the person she is writing to.
2. Margaret and Susan still have to work on the details of the tour.
3. Margaret asked the lawyers to draft a contract.
4. Margaret asked Susan to send the contract back by post.

5. Margaret hopes to work with Susan on other projects.
6. Margaret had met Susan in New York before she wrote this letter.
7. Margaret tells Susan for the first time that the customers will start going to New York in a year.
8. Margaret uses abbreviations, emoticons and contractions in her letter.
9. Margaret uses informal closing to finish her letter.
10. We don't know what position Margaret takes in her company.

5. Заполните пропуски словами из рамки.

top (3), bottom, right, left (3), after (2), under (4)

1. The address of the sender (the person who is writing a letter) is at the _____, on the _____.
2. The name and address of the addressee (the person you are writing to) is at the _____, on the _____.
3. The date is at the _____, on the _____, _____ the address.
4. The subject heading is _____ *Dear...*
5. The paragraphs start at the _____ margin. Between the paragraphs there is a space.
6. The signature is _____ *Yours ...*
7. The name and the title of the sender is at the _____, _____ the signature.
8. There is no punctuation in the addresses or _____ *Dear ...* or _____ *Yours faithfully/sincerely.*

6. Прочитайте ситуацию и выполните задания.

1. **Хелена Зельтсберг получила письмо из шотландского центра изучения английского языка, в который она собирается поехать этим летом. Прочитайте и переведите это письмо.**

English Language School
31 Castle Street
Scotland 567 132
Tel. +44 567 965 0319
Fax. +44 567 965 0319
Email. info@englishcentre.com

Ms. Helen Zeltsberg
Daybackstr. 435
560278 Frankfurt
Germany

21 May 2012

Dear Ms. Zeltsberg

English Language course

Thank you for your letter enquiring about courses in British culture and language. I am pleased to tell you that we will be offering such a course in our Summer School Programme.

The course will be taught by Professor Taylor, who has recently published a book entitled "Peculiarities of Britain", which has been highly praised by reviewers.

The course is suitable for everyone interested in British culture and the English language. It will cover a large range of topics concerning British life, customs and attitudes. The course will include such topics as the Press and Mass Media, Education, the British Humour, the British Film Industry and many others. There will be a number of guest speakers, which will give their presentations. Two excursions will be arranged to the Scottish Parliament and Edinburgh Castle.

As you can see from the enclosed brochure, the course begins on July 1 and ends on 26 June with a farewell dinner.

We look forward to seeing you at the beginning of the course. If you need any further information, please do not hesitate to contact us.

Yours sincerely
Linda Longfellow
Linda Longfellow
Senior Manager, English Language Summer School

2. Прочитайте и переведите диалог между Хелен и ее подругой Луизой. На какие вопросы Хелен не нашла ответы в полученном письме. Составьте список основных вопросов.

H: I have just received a letter from English Language Summer School. I'd like to attend the course. I think it must be interesting.

L: Yes, I've read the brochure too. I must say, I like the topics they are covering. Professor Taylor is good. I've seen him giving lectures in London; he's well worth listening to. I've seen his book in a store the other day, it looks rather interesting. Why don't you read it before the course begins?

H: Good idea, I'll do it. But Louse, there are some points in the letter which are not completely clear to me.

L: Which ones?

H: Well, for one thing, I'd like to know what sort of people will attend the course. I mean, are they teachers or students, young or old? And where do they come from mainly? I don't want to spend the time with a group from Germany. I'd prefer an international group, so I could practise my English.

L: Mmm, I can understand that. Why don't you check? Also, have you thought about accommodation? I noticed there was a little about family-stay possibilities in the brochure, but not much else. What about accommodation in student hostel? It's often cheaper and a lot better than living in a family.

H: Ok, I'll check that too when I write to Linda Longfellow. You know, I don't see anything about methods of payment for the course. The prices are all there, but nothing about how to pay. I'd like to pay by credit card if possible, when I arrive. I hope they accept them.

L: I'm sure they will. Another thing – when you write, why don't you find out how the course will be organized? I mean, what methods will they use? Will it just be lectures, or will you have to make presentations, individually or in groups? And, erm... will there be a lot of discussion, videos, films, that sort of things? I don't think you can get very much from just lectures.

H: Good point. One more thing – do you think I'll get a certificate or something if I complete this course? That'd be useful. And are there any examinations? Oral or in writing? Actually, there are a lot of questions I need to ask.

3. Напишите письмо в центр английского языка в Шотландии от имени Хелен Зельтсберг. Задайте интересующие вас вопросы. Не забудьте использовать необходимые формулы вежливости.

UNIT 7. TEST YOURSELF

1. Переведите словосочетания на русский язык.

1. to put off a meeting
2. to put somebody through to the Marketing Department
3. to meet the deadline
4. to pay cash
5. to take the minutes
6. to attend a meeting
7. to get feedback from the participants of the meeting
8. to prevent digressions
9. to get down to business
10. to dial an extension number

2. Используя известные вам формулы вежливости и косвенные вопросы, измените следующие высказывания.

1. Remember to use the spell check in the future!
2. I want to speak with you in private!
3. Where can I plug this mobile in?
4. Check these figures again!
5. How does this computer work?
6. What's the phone code for Greece?
7. You will have to work overtime this week.

3. Во время телефонного разговора могут возникнуть разнообразные проблемы. Соотнесите описываемые проблемы с репликами говорящего по телефону.

1. A colleague wants you to sign something.
 2. Your colleague leaves a few seconds later.
 3. There is a lot of noise outside.
 4. Your boss wants to speak with you – immediately!
 5. Someone else is trying to call you.
 6. The caller gives you his name – it's unpronounceable.
 7. You think you have misunderstood the information the person gave you.
 8. You gave the caller a lot of information very quickly.
 9. The other person just won't stop talking!
- a. Sorry, could you speak up a little?
 - b. Sorry, I've got someone on the other line. Could I call you back?
 - c. Ok. Have you got all that?
 - d. I'll have to go, I'm afraid. Something's come up.
 - e. Sorry about that. Where were we?
 - f. Anyway, I won't keep you longer.
 - g. Excuse me a moment.
 - h. Anyway, I won't keep you any longer. Speak to you soon.
 - i. Sorry, could you spell that for me, please?
 - j. Can I just check it with you?

4. Разделите слова таким образом, чтобы из них получилось 10 вопросов, которые наиболее часто можно услышать в деловом общении. Все вопросы начинаются с "Could you..." Перепишите получившиеся вопросы.

Could you ...

send me my flight details give me a copy of this report call me back in an hour take a quick look at the agenda arrange for someone to meet them at the airport arrange a meeting with the heads of departments fix an appointment for me book the conference room for next week organise a tour for some visitors send a written request put me through to service department?

5. Согласитесь или опровергните следующие утверждения. (True or False).

1. A formal letter should always have a date.
2. You put the address of the person you are writing to directly under your address.
3. You should begin a formal letter with *Dear* + first name + surname.
4. If you begin your letter with *Dear* + name, you should finish it with *Yours faithfully* not *Yours sincerely*.
5. You should end your letter by signing it, then printing your name and position.
6. In formal letters you can use everyday language and short forms such as *I'm* and *we're*.

6. Переведите предложения на английский язык.

1. В какой сфере бизнеса Вы работаете? – Я работаю в сфере рекламы.
2. Вы уже подготовили повестку дня для совещания? – Да, я уже отправил ее всем участникам завтрашней встречи.
3. Я понимаю, что Вы имеете в виду, и не могу не согласиться с Вами в этом вопросе. Эту проблему нужно решить немедленно.
4. Извините, должно быть, я ошибся номером. Не могли бы Вы соединить меня с руководителем научно-исследовательского отдела (R&D Department).
5. Если Вам потребуется дальнейшая информация, незамедлительно свяжитесь с нами.

GLOSSARY

1. agenda – повестка дня

create/ make an ~ - составить повестку дня

proposed ~ - предложенная повестка дня

point on the ~ - пункт на повестке дня

2. business – 1. деловой; 2. бизнес, профессиональная деятельность

~ English – деловой английский язык

~ communication - деловое общение

~ trip – деловая поездка, командировка

go on a ~ trip – поехать в командировку

~ correspondence – деловая переписка

~ relationships – деловые отношения

line of ~ - сфера бизнеса/сфера деятельности

get down to ~ - перейти к делу

3. conversation – разговор, беседа

telephone ~ - телефонный разговор

ongoing ~ - разговор, происходящий в данный момент

start/ begin a ~ - начать разговор

keep a ~ going – поддерживать разговор

break off a ~ - закончить, прервать разговор

take up ~ opportunities – воспользоваться возможностью завязать разговор

4. feedback – обратная связь

positive ~ - положительная обратная связь

get ~ - получить обратную связь

5. inquire – осведомляться, наводить справки

inquiry – запрос, вопрос

make ~es – навести справки

6. line – линия связи

bad ~ - плохая слышимость на линии, плохая связь

~ is engaged – линия занята

hold the ~ - на вешать трубку, оставаться на линии

7. meeting – совещание, встреча, собрание, заседание

arrange a ~ - организовывать встречу, собрание

attend a ~ - прийти на собрание, совещание

cancel a ~ - отменить встречу, совещание

hold a ~ - проводить совещание, собрание

postpone/ put off a ~ - отложить встречу, собрание

run/ chair a ~ - быть председателем собрания, вести заседание (совещание)

8. minutes – протокол заседания, деловой встречи, собрания

take the ~ - вести протокол

circulate/distribute the ~ - разослать протокол участникам собрания, встречи

read out the ~ - зачитать протокол вслух (обычно перед началом следующего заседания)

9. number – телефонный номер

dial the wrong ~ - набрать неправильный номер

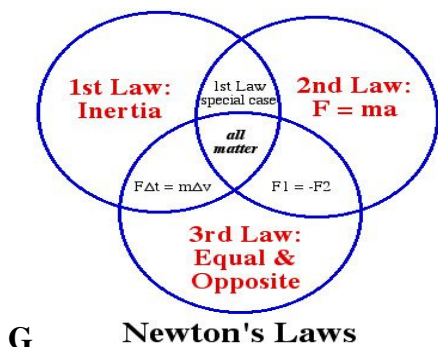
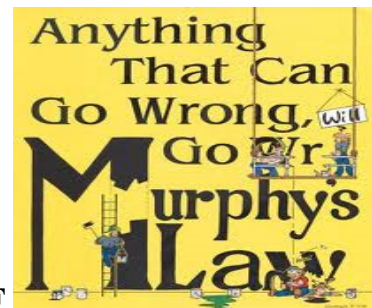
extension ~ - добавочный номер

MODULE 5

LAW IN OUR LIFE

UNIT 1. INTRODUCTION

1. Опишите рисунки. Как Вы думаете, каким образом они связаны с понятием «право». Какие сферы взаимоотношений в обществе и между людьми регулируются правом?



2. Прочитайте определения слова «law», которое переводится на русский язык как «право, закон». Как Вы думаете, какое из определений больше всего подходит к каждому из рисунков?

1. A rule of conduct or procedure established by custom, agreement, or authority.
2. A set of rules or principles dealing with a specific area of a legal system.
3. A way of life.
4. A statement describing a relationship observed to be invariable between or among phenomena for all cases in which the specified conditions are met.
5. A principle of organization, procedure, or technique.
6. A generalization based on consistent experience or results.
7. The collection of rules imposed by authority.

3. Ответьте на вопросы, начиная ответ с одного из выражений, данных в рамке.

In my opinion – по моему мнению
 I can't make up my mind, but – не могу принять решение, но
 I am keeping an open mind for the moment – пока у меня нет никакого
 мнения на этот счет
 I'm (not) sure that – я (не) уверен, что
 Firstly, (secondly) – во-первых, (во-вторых)
 Finally - наконец

1. Can we live without laws?
2. Why do we need the law?
3. What spheres of life are regulated by law?
4. Must people obey laws?
5. What rules of behaviour are accepted in the society?
6. Do you share the idea that people should look only after themselves and take no care about others?
7. What rules do you obey willingly?
8. What rules would you abolish if you could?
9. Do laws limit your personal freedom?
10. Must all people study law at school?
11. Do you feel that laws protect you?
12. What law would you suggest if you were a Member of Parliament?

4. Прочитайте и выучите идиоматические выражения со словом «law». Составьте предложения с каждым из них. (Идиомы – это устойчивые по составу и структуре лексически неделимые и целостные по значению словосочетания или предложения, выполняющие функцию словарной единицы.)

1. law and order - правопорядок
2. the law of the jungle – закон джунглей
3. to lay down the law- устанавливать правовые нормы, формулировать закон
4. necessity knows no law – нужда не знает закона

5. Опишите картинку или карикатуру, которая ассоциируется у Вас с одним или несколькими из данных ниже словосочетаний (см. примеры).

1. to make laws – издавать, принимать законы

2. to repeal laws – отменять законы
3. to break laws – нарушать законы
4. to obey laws – соблюдать законы
5. to enforce laws – обеспечить (принудительно) исполнение закона
6. to apply laws – применять законы
7. to be against the law – быть противозаконным
8. to study law – изучать право
9. to amend the law – вносить поправки в закон
10. to turn to the law – обращаться к закону (в полицию)



6. Заполните пропуски подходящими по смыслу глаголами из упражнения 5.

1. The State Duma of the Russian Federation _____ laws.
2. The government _____ laws and _____ them if they are bad.
3. The police _____ laws.
4. Courts and judges _____ laws.
5. Law-abiding people _____ laws.
6. Criminals _____ laws.
7. The students of universities _____ law.

7. Переведите предложения, обращая внимание на выделенные слова, которые выступают в разных функциях в предложении. (*state* – государство, состояние (сущ.) и заявлять, излагать(гл) , *judge* – судья (сущ.) и судить(гл) , *claim* – требование, судебный иск (сущ.) и претендовать, заявлять(гл) , *force* – сила (сущ.)и заставлять(гл) , *rule* – правило, норма (сущ.) и управлять, постановлять(гл), *right* – право (сущ.) и правый (прил.)).

1. A **judge** is a court officer authorized to decide legal cases. But who are they to **judge** us? The **judge** may also rule on motions made before or during a trial. Don't **judge** a book by its cover.

2. In this office, hard work is the **rule**, not the exception. When a court **rules**, the decision is called a ruling. The high destiny of the individual is to serve rather than to **rule**.

3. The **state** is distinguished from other institutions by its purpose (establishment of order and security), methods (its laws and their enforcement), territory (its area of jurisdiction), and sovereignty. Another standard question is “What’s the **state** of the world?” meaning “What’s new?” or “What’s going on?”. The Bill of Rights is **stated** in 463 words.

4. What we now call gravity was not identified as a universal **force** until the work of Isaac Newton. Nobody can **force** me to do it.

5. After the storm, the Johnsons filed a **claim** against their home insurance in order to repair damage to the roof. He **claimed** he won the race, though the video showed otherwise.

6. In folk beliefs, good luck is regularly associated with the **right** side: it is lucky to see the new moon to one’s **right**, to put the **right** stocking or shoe on first, while in each case the left is unlucky. Each legal **right** that an individual possesses relates to a corresponding legal duty imposed on another.

UNIT 2. WHY DO WE NEED LAW?

Повторение грамматики: Модальные глаголы и их эквиваленты.

1. Прочитайте только те словосочетания, которые могут выступать в качестве сказуемого в предложении.

will have finished, alter, in favor of, unlike rules, should not do, to pay, may be forced, would not be necessary, did not live, so special, to drive on, help to safeguard, claims to, ensuring, do not want, applies to, might not be able to go, to speak out publicly, has kept, are regulating, a great deal of order, like, do not use, will choose, is speaking, should do, must obey, have to provide, should respect, must carry out.

2. Прочитайте формы сказуемого, которые переводятся на русский язык а) настоящим временем б) прошедшим временем в) будущим временем. Поставьте эти сказуемые в отрицательную форму.

will begin, have protected, is speaking, had taken, made, seek to do, shall have, are driving, has felt, were keeping, ensured, is going to take, will be necessary, deals with, am doing, flaws, was regulating, had chosen, have resolved, are arising, are going to do, will settle, drive, keeps, are applying, rejected, shall respect, imposed.

3. Прочитайте формы модального сказуемого, которые выражают а) возможность совершения действия б) необходимость совершения действия. Переведите их на русский язык. Выпишите в таблицу формы модальных глаголов и их эквивалентов.

We should and should not do...; you may be forced to pay a fine...; everyone must obey...; we must drive our cars...; people were allowed to choose at random...; the law must provide...; it may provide a great deal of order...; the legal system should respect individual rights...; society should believe in...; the police and other public officials must carry out their public duties...; they will not be able to go to university...; the law should recognize and protect...; laws must reflect the chang-

ing needs of society...; the laws of all countries are to be found in written records...; they were allowed to sell...; you may wish to take legal action...; the police have to concentrate on certain crimes...; certain people are able to escape justice...; this relationship can be demonstrated...; they have to break..., people had to obeyed ..., the case is to be heard..., the player might be sent to prison .

МОДАЛЬНЫЕ ГЛАГОЛЫ		ЭКВИВАЛЕНТЫ МОДАЛЬНЫХ ГЛАГОЛОВ	
Должноствовање	Возможность	Должноствовање	Возможность

4. Дополните таблицу недостающими формами, там, где это возможно. Скажите, какими грамматическими особенностями обладают модальные глаголы.

Past	Present	Future
		shall be able to do smth will
had to do smth	must	
might		shall be allowed to do smth will be permitted to do smth
	have to	
was to were to		
	should	

5. Переделайте предложения, заменив подлежащее местоимением в 3-м лице единственном числе. Подчеркните сказуемое каждого предложения.

1. We could convince the police that we were innocent.

2. I saw the accident but fortunately I didn't have to give evidence as there were plenty of other witnesses.
3. If you said that, we might be very offended.
4. Different people might have different understanding of the laws.
5. Laws, together with their judicial interpretations, must be simple enough so that people know what laws are and how to comply with them.
6. When all five properties are satisfied, we can say that the positive legal order is "just."

6. Поставьте к предложению общий вопрос. Подчеркните сказуемое.

1. If you break a law you may be forced to pay a fine, pay damages, or go to prison.
2. The law must provide a way to resolve these disputes peacefully.
3. The legal system should respect individual rights.
4. Some lawyers have to prepare defences for clients accused of crimes.
5. A client is to know that what he says will not be passed on to someone else without permission.

7. Прочитайте и переведите текст.

TEXT

WHY DO WE NEED LAW?

Almost everything we do is governed by some set of rules. There are rules for games, for social clubs, for sports and for adults in the workplace. There are also rules imposed by morality and custom that play an important role in telling us what we should and should not do. However, some rules -- those made by the state or the courts -- are called "laws". Laws resemble morality because they are designed to control or alter our behaviour. But unlike rules of morality, laws are enforced by the courts; if you break a law -- whether you like that law or not -- you may be forced to pay a fine, pay damages, or go to prison.

Why are some rules so special that they are made into laws? Why do we need rules that everyone must obey? In short, what is the purpose of law?

If we did not live in a structured society with other people, laws would not be necessary. We would simply do as we please, with little regard for others. But ever since individuals began to associate with other people -- to live in society -- laws have been the glue that has kept society together. For example, the law in our country states that we must drive our cars on the right-hand side of a two-way street. If people were allowed to choose at random which side of the street to drive on, driving would be dangerous and chaotic. Laws regulating our business affairs help to ensure that people keep their promises. Laws against criminal conduct help to safeguard our personal property and our lives.

Even in a well-ordered society, people have disagreements and conflicts arise. The law must provide a way to resolve these disputes peacefully. If two people claim to own the same piece of property, we do not want the matter settled by a duel: we turn to the law and to institutions like the courts to decide who the real owner is and to make sure that the real owner's rights are respected.

We need law, then, to ensure a safe and peaceful society in which individuals' rights are respected. But we expect even more from our law. Some totalitarian governments have cruel and arbitrary laws, enforced by police forces free to arrest and punish people without trial. Strong-arm tactics may provide a great deal of order, but we reject this form of control. The legal system should respect individual rights while, at the same time, ensuring that society operates in an orderly manner. And society should believe in the Rule of Law, which means that the law applies to every per-

son, including members of the police and other public officials, who must carry out their public duties in accordance with the law.

In our society, laws are not only designed to govern our conduct: they are also intended to give effect to social policies. For example, some laws provide for benefits when workers are injured on the job, for health care, as well as for loans to students who otherwise might not be able to go to university.

Another goal of the law is fairness. This means that the law should recognize and protect certain basic individual rights and freedoms, such as liberty and equality. The law also serves to ensure that strong groups and individuals do not use their powerful positions in society to take unfair advantage of weaker individuals.

However, despite the best intentions, laws are sometimes created that people later recognize as being unjust or unfair. In a democratic society, laws are not carved in stone, but must reflect the changing needs of society. In a democracy, anyone who feels that a particular law is flawed has the right to speak out publicly and to seek to change the law by lawful means.

8. Подберите к английским словосочетаниям из текста русские эквиваленты.

1. purpose of law	a) уважать права отдельного человека
2. to live in society	b) отражать изменяющиеся потребности общества
3. to choose at random	с) иметь разногласия и конфликты
4. to safeguard our personal property and our lives.	d) верить в верховенство закона
5. to have disagreements and conflicts	e) защищать основные права и свободы
6. to resolve disputes peacefully	f) назначение (цель) права
7. to turn to the law	g) иметь право открыто высказать свое мнение
8. to respect individual rights	h) жить в обществе
9. to arrest and punish people without trial	i) выбирать что-либо наугад
10. to believe in the Rule of Law	j) стремиться изменить закон правовыми средствами
11. in accordance with the law	к) арестовывать и наказывать людей без суда и следствия
12. to protect basic individual rights and freedoms	l) охранять нашу собственность и жизнь
13. to reflect the changing needs of society	m) в соответствии с законом
14. to have the right to speak out publicly	n) обращаться к закону (в полицию)
15. to seek to change the law by lawful means	o) разрешать споры мирными средствами

9. Закончите предложения в соответствии с содержанием текста.

1. Almost everything we do is governed by _____
 a) rules imposed by morality

- b) the courts
 - c) some set of rules
2. If we didn't live in a structured society with other people _____
- a) we would simply do as we please
 - b) we would simply do with little regard for others
 - c) laws would not be necessary
3. Laws against criminal conduct help _____
- a) to protect our property
 - b) to take advantage of other individuals
 - c) to safeguard our personal property and our lives.
4. We turn to the law _____
- a) to resolve the dispute peacefully
 - b) to decide who is the real owner
 - c) to force people keep their promises
5. Another goal of the law is _____
- a) to protect certain basic individual rights and freedoms
 - b) fairness
 - c) to provide for benefits.

10. Выразите согласие/несогласие со следующими утверждениями, используя ту или иную речевую модели.

**Models: a) I fully agree with the statement.
b) I am afraid, I can't agree with it.**

1. Not everything we do is governed by some set of rules.
2. We need rules that everyone must obey.
3. Laws against criminal conduct don't help to safeguard our personal property and our lives.
4. In well-ordered society conflicts never arise.
5. It is impossible to resolve disputes peacefully.
6. If individual's rights are respected it means that we live in a safe and peaceful society.
7. Totalitarian governments have cruel and arbitrary laws.
8. Strong-arm tactics may provide a great deal of order ensuring the society operates in an orderly manner.
9. Laws should be applied to every person in the society.
10. The only goal of the law is fairness.

11. Замените русские слова в скобках английскими эквивалентами. Подчеркните сказуемое.

The aim of (права) is to regulate the conduct of human beings in society. The aim of (правовой) theory is (рассмотреть) the nature, origin and classification of law. The theory of natural law is based on the belief that there is a set of perfect (юридических норм) for human conduct and (законы) devised by men must be induced by these rules. (Закон) is a term which is used in many different senses. То (юриста) law has far narrower meaning – the principle recognized and applied by the state in (суде). The English (правовая система) has still been copied by many nations. (Судебный процесс) becomes the center of a contest between both parties in which one emerges the

winner. By the time of (судебного разбирательства) each (сторона дела) should gain as much information as possible.

12. Прочитайте текст, подчеркните модальные глаголы и их эквиваленты и переведите текст на русский язык.

Some singular laws were introduced in eighteenth-century England. How strange it might seem now, people had to pay “window tax” for each window in their house. Later, this law was changed because many poor people chose to live in houses without windows just so that they didn’t have to pay. Another law was no less funny. If you traveled in any motor vehicle in nineteenth-century Britain, the law said that someone had to walk in front of you waving a red flag, or at night time a red lamp. This meant, in practice, that you couldn’t travel at more than about 8 kilometers per hour! Some other British laws concerning social behaviour were very strict. For example, until recently pubs in Britain weren’t allowed to stay open all day. They opened at eleven in the morning and had to shut again at three in the afternoon. In the evening they closed at half past ten. On Sundays the laws were stricter.

The USA is also famous for their quite odd laws. For example, in Illinois animals could go to jail, in Florida you had to wear clothes in the bath, in Kansas you were not permitted eat snakes in public, in North Carolina you could not drink milk on train, in Idaho you could not buy a chicken at night without the sheriff’s permission.

13. Замените русские слова в скобках английскими эквивалентами из рамки. Сделайте письменный перевод текста на русский язык.

**1. to investigate crimes 2. civil offences 3. to punish the guilty 4. law and order
5. is breaking the law 6. obey the law 7. ignorance of the law is almost never a
defence for breaking it 8. were prosecuted 9. legal codes**

Governments have many ways of making sure that citizens (подчиняются закону). They make the public aware of what the law is and try to encourage social support for (правопорядку). They use police forces (расследовать преступления) and catch criminals. They authorize courts to complete the investigation of criminal and (гражданских правонарушений) and to pass sentences to (наказать виновного) and deter others. And they make efforts to re-educate and reform people who have broken the law.

The laws of all countries are to be found in written records – (правовые кодексы) of countries with continental systems, the statutes and case-judgments of common law countries, warning on official forms, and notice in public buildings. Many people do not know where to find these records and do not find it easy to read them. But (незнание законов не освобождает от ответственности). Governments usually expect citizens to be aware of the laws which affect their lives. Sometimes this seems very harsh, for example, when the law is very technical. Shopkeepers in England (преследовались по закону в уголовном порядке) for selling books on Sunday, although they were allowed to sell magazines. However, there are many laws, such as those prohibiting theft, assault and dangerous driving which simply reflect social and moral attitudes to everyday behaviour. In such cases a person knows he (нарушает закон), even if he doesn’t know exactly which law it is.

14. Посоветуйте: а) Билли и Бетти, что им не надо делать, даже если они и прогуляли уроки; б) как следует поступать родителям, чтобы их дети не совершали неблагоприятные поступки; в) что должны делать учителя, чтобы ученики не прогуливали уроки. Давая советы, используйте модальные глаголы.

Should выражает наставление, увещание, рекомендацию, совет (на русский язык переводится - должен, должен бы, следует, следует бы).

Ought to обозначает моральный долг, обязанность говорящего.

Must в утвердительных и вопросительных предложениях выражает необходимость, долженствование, обязанность, а также совет, приказ. Отрицательная форма *mustn't* (*must not*) обычно выражает запрет (нельзя), т.е. является противоположной по значению глаголу *may*. Отсутствие необходимости (не нужно, не надо) выражается глаголом *needn't* (*need not*).

One day Billy (who is 13 years old) and Betty (who is 15) decide to play truant from school. Betty has a hidden store of cider, and they each drink a bottle of cider in the shed in Betty's back garden. By this time, they are feeling unsteady and extremely hungry. They go down to the local supermarket and take a bun and an apple each, without paying for them. Betty and Billy then run back to the shed in Betty's garden, and eat the food. Billy makes a pile of sticks on the floor of the shed and sets light to them. As the fire catches, they realize the danger, and rush out of the shed, leaving it to burn down.

15. Переведите предложения на английский язык.

1. Если человек нарушает закон, он может быть наказан.
2. Законы должен знать каждый человек, но, к сожалению, не каждый их знает.
3. В зависимости от исторического контекста и общественно-политических условий термином «право» может обозначаться довольно обширный перечень явлений.
4. В трактовке права как социального явления преобладают различные подходы и предпочтения – политические, моральные, религиозные, экономические, социальные, классовые и др.
5. Право долгое время рассматривалось лишь как инструмент, необходимый для достижения конкретных целей.
6. Такие понятия, как «право», «мораль» и «справедливость», продолжают оставаться неразрывно связанными друг с другом.

16. Обобщите мысли автора текста, используя план:

The author believes...
Firstly the author points at...
Secondly the author supposes...
Thirdly the author thinks...
Finally the author concludes...

UNIT 3. LAW AND SOCIETY

1. Прочитайте текст.

TEXT

LAW AND SOCIETY

When the world was at a very primitive stage of development there were no laws to regulate life of people. If a man chose to kill his wife or if a woman succeeded in killing her husband that was their own business and no one interfered officially.

But things never stay the same. The life has changed. We live in a complicated world. Scientific and social developments increase the tempo of our daily living activities, make them more involved. Now we need rules and regulations which govern our every social move and action. We have made laws of community living.

Though laws are based on the reasonable needs at the community we often don't notice them. If our neighbor plays loud music late at night, we probably try to discuss the matter with him rather than consulting the police, the lawyer or the courts. When we buy a TV set, or a train ticket or loan money to somebody a lawyer may tell us it represents a contract with legal obligations. But to most of us it is just a ticket that gets us on a train or a TV set to watch.

Only when a neighbor refuses to behave reasonably or when we are injured in a train accident, the money wasn't repaid, the TV set fails to work and the owner of the shop didn't return money or replace it, we do start thinking about the legal implications of everyday activities.

You may wish to take legal action to recover your loss. You may sue against Bert who didn't pay his debt. Thus you become a plaintiff and Bert is a defendant. At the trial you testified under oath about the loan. Bert, in his turn, claimed that it was a gift to him, which was not to be returned. The court after the listening to the testimony of both sides and considering the law decided that it was a loan and directed that judgment be entered in favor of you against Bert.

Some transactions in modern society are so complex that few of us would risk making them without first seeking legal advice. For example, buying or selling a house, setting up a business, or deciding whom to give our property to when we die.

On the whole it seems that people all over the world are becoming more and more accustomed to using legal means to regulate their relations with each other. Multinational companies employ lawyers to ensure that their contracts are valid whenever they do business.

2. Выразите согласие/несогласие со следующими утверждениями, используя ту или иную речевую модель.

Models:

- c) I think it is true. The text tells us that**
- d) To my mind, it is false because**

1. We usually think about the legal implications of everyday activities.
2. Few of us would risk making transactions without first seeking legal advice.
3. People all over the world are becoming more and more accustomed to using legal means to regulate their relations with each other.
4. Even though the TV set fails to work and the owner of the shop didn't return your money or replace the TV set, we don't start thinking of taking legal advice.
5. When you buy a train ticket a lawyer may tell you it represents a contract with legal obligations.
6. You may not sue against the person who didn't pay his debt.
7. You can testify at the doctor's.
8. A defendant can accuse a plaintiff.
9. The court may listen to testimony of one side.
10. All transactions in modern society are very complex.
11. Nobody should have basic knowledge of law.

3. Прочитайте определения и скажите, о каких словах из текста идет речь.

1. _____ is the party that is accused in court of a crime or a civil offence.
2. _____ is the party that starts or carries out civil proceedings. It is usually a private citizen or a company.
3. _____ is a civil legal proceeding against someone.
4. _____ is an official court decision on the case.
5. _____ are an official body whose job is to make sure that people obey the law, to catch criminals, and to protect people and property.
6. _____ is someone whose job is to advise people about laws, write formal documents or represent people in court.
7. _____ is a house or a room where all the information about the crime is given so that it can be judged.
8. _____ is a sum of money that you owe somebody.
9. _____ is a formal statement that something is true, such as the one a witness makes in court of law.
10. _____ is money that has been lost by a business, a person or a government.
11. _____ is legal means (documents) regulating relations between companies.

4. Подберите подходящий по смыслу ответ из предложенных вариантов и обоснуйте свой выбор двумя - тремя предложениями. Начните свой ответ одним из следующих выражений.

Models:

- a) **I quite agree with the statement that _____ because ...**
- b) **Just what I think because ...**

1. Relations between people are regulated by _____
 - a) government
 - b) prescriptive laws
 - c) people's experience
 - d) customs and traditions

2. If we always break the rules, other members of society may _____
 - a) refuse to have anything to do with us
 - b) carry precise penalties
 - c) use a system of courts
 - d) consult the police

3. When governments make laws for their citizens _____
 - a) they use the power of the police to enforce them
 - b) they use justice
 - c) they observe public opinion
 - d) they try to implement common sense.

5. Прочитайте текст без словаря и найдите в нем английские эквиваленты русским предложениям.

1. Они используют судебную систему, опирающуюся на право полиции принудительно обеспечивать соблюдение закона.

2. Отношения между людьми регулируются сочетанием всех этих правил (норм).

3. ... понесет наказание в виде штрафа или временного отстранения от участия в игре.
4. Рефери может подать гражданский иск против игрока и потребовать материального возмещения за нанесенные ему телесные увечья.
- 5..... так как государство рассматривает антиобщественное поведение не как вопрос взаимоотношений между людьми, а как угрозу благосостоянию и порядку в обществе.

When governments make laws for their citizens, they use a system of courts backed by the power of the police to enforce these laws. Of course, there may be instances where the law is not enforced against someone—such as when young children commit crimes, when the police have to concentrate on certain crimes and therefore ignore others, or in countries where there is so much political corruption that certain people are able to escape justice by using their money or influence. But the general nature of the law is enforced equally against all members of the nation.

Government-made laws are nevertheless often patterned upon informal rules of conduct already existing in society, and relations between people are regulated by a combination of all these rules. This relationship can be demonstrated using the example of a sports club.

Suppose a member of a rugby club is so angry with the referee during a club game that he hits him and breaks his nose. At the most informal level of social custom, it is probable that people seeing or hearing about the incident would criticize the player and try to persuade him to apologize and perhaps compensate the referee in some way. At a more formal level, the player would find he had broken the rules of his club, and perhaps of a wider institution governing the conduct of all people playing rugby, and would face punishment, such as a fine or a suspension before he would be allowed to play another game. Finally, the player might also face prosecution for attacking the referee under laws created by the government of his country. In many countries there might be two kinds of prosecution. First, the referee could conduct a civil action against the player, demanding compensation for his injury and getting his claim enforced by a court of law if the player failed to agree privately. Second, the police might also start an action against the player for a crime of violence. If found guilty, the player might be sent to prison, or he might be made to pay a fine to the court—that is, punishment for an offence against the state, since governments often consider anti-social behaviour not simply as a matter between two individuals but as a danger to the well-being and order of society as a whole.

6. Расположите предложения в логической последовательности так, чтобы получился краткий пересказ текста.

1. Government-made laws are often patterned upon informal rules of conduct already existing in society
2. The player might face prosecution for attacking the referee under law.
3. When governments make laws for their citizens, they use a system of courts.
4. Governments consider anti-social behaviour as a danger to the well-being and order of society.
5. This relationship can be demonstrated using the example of a sports club.

7. Озаглавьте текст в упражнении 5.

8. Переведите предложения на английский язык, используя модальные глаголы.

1. Человек может обеспечить себе достойные условия существования только при наличии права.
2. Действующее в обществе право есть совокупность определенных правил и норм, которые используются обществом для определения того, какое поведение должно быть запрещено под страхом уголовного наказания, а какое, напротив, поддержано силой государства.

3. Право по своей природе предполагает, что его необходимо соблюдать.
4. Трудно найти человека, который бы стал всерьез оспаривать, что главная цель права состоит в утверждении справедливости. Однако по поводу того, что считать справедливым, у каждого может быть свое мнение.

Повторение грамматики: Модальные глаголы с перфектным инфинитивом.

Перфектный инфинитив используется после модальных глаголов ‘could’, ‘might’, ‘ought’, ‘should’, ‘would’, ‘needn’t’ для того, чтобы выразить нереальные действия, которые могли бы произойти в прошлом, но не произошли.

9. Прочитайте предложения и переведите их на русский язык.

- I **could have married** her if I wanted to. (I didn’t marry her.)
- That was dangerous – he **could have killed** somebody. (He didn’t kill anybody.)
- You **should have written** – I was getting worried. (The person did not write.)
- She **needn’t have invited** them. (She invited them.)
- You were stupid to try climbing up there. You **might have killed** yourself. (The person didn’t kill himself.)
- If she hadn’t been so bad-tempered, I **might have married** her. (I didn’t marry her.)
- I **ought to have phoned** him this morning, but I forgot.

10. Сделайте предположения о характерах Флинна и Марка. Используйте в ответе модальный глагол с перфектным инфинитивом и заменители модальных глаголов в прошедшем времени.

Mark must have + Participle II...	Должно быть, Марк уже...
Flinn can’t have + Participle II...	Не может быть, чтобы Флинн ...
Mark could have + Participle II...	Марк мог бы... (но не сделал)
Flinn might have + Participle II...	Может быть, Флинн ... (а может нет)
Maybe Mark had to...	Может быть, Марк должен был ...
I don’t think Flinn was to...	Я не думаю, что Флинн заранее должен был (решить, что)

Flynn was a chronic alcoholic. He often heard voices and believed that they belonged to a spirit from the planet Jupiter. The voice told him that he had a mission to prepare the world for a visitation from Jupiter.

One day, Flynn was stopping people in the street to tell them about the coming visitation. He stopped Mark, who said he was interested in Flynn’s story. However, after a few minutes Mark expressed disbelief, and Flynn flared into a fury. He picked up a piece of paving-stone lying by the side of the road, and hit Mark on the head with it. Mark died as a result of the injury.

When he was questioned, Flynn admitted that he hit Mark with a stone; he said that his spirit guide from Jupiter told him to kill Mark as a lesson to all those who did not believe his mission.

11. Дебаты. Студенты разбиваются на две группы. Используя модели, данные ниже, одна подгруппа пишет пять аргументов, доказывая необходимость существования права, другая приводит пять контраргументов. Затем каждая подгруппа выбирает по одному представителю, который выдвигает доказательства той или иной точки зрения. Остальные студенты аргументировано определяют победителя. (Примеры даны ниже.)

Models:

I really think (that) ...	Я действительно думаю, что ...
I strongly believe (that) ...	Я твердо убежден, что ...
I strongly agree with ...	Я полностью согласен с ...
I strongly disagree with ...	Я решительно не согласен с ...
On the one hand ...	С одной стороны, ...
On the other hand ...	С другой стороны, ...
In addition ...	К тому же ...
Nevertheless ...	Тем не менее ...
Did I get you right?	Я Вас правильно понял?
Let's clear it up	Давайте внесем ясность в этот вопрос
The point is that ...	Дело в том, что ...
It doesn't prove a thing	Это ничего не доказывает
It isn't true to fact	Это не соответствует действительности

FOR	AGAINST
1. The goal of law is fairness.	1. Fairness is not an abstract thing. Laws are created by rich people for rich people.
2.	2.
3.	3.
4.	4.
5.	5.
6.	6.

UNIT 4. LEGALESE**1. Прочитайте текст и ответьте на вопросы:**

1. What is legalese?
2. What are the main characteristic features of legalese?
3. What are three reasons for the slow pace of modernizing legal language?

TEXT**LEGALESE**

Although lawyers come from a variety of backgrounds and do a variety of work, as a profession they often appear rather remote and difficult to understand. Perhaps one reason for this is legalese—the strange and incomprehensible language so many lawyers seem to write and speak. This is not just a feature of English-speaking lawyers. People all over the world complain that they cannot understand court proceedings or legal documents.

Of course all professions have their own jargon. Economists commonly talk about junk bonds (the right to collect a debt which will in fact probably never be repaid); doctors about lacerations (cuts) and contusions (bruises); and English teachers about metalanguage (the words we use to talk about language). The use of some special words can be justified because they refer to matters which are important to a particular profession but not important to most people in everyday life. But sometimes it seems that jargon is a way of creating a mystery about a profession, of distinguishing people on the inside (economist, doctors, teachers) from those on the outside.

In recent times lawyers have made efforts to make their profession less mysterious. After all, their job is supposed to be to clarify matters for the public, not to make them more complicated!

This is particularly so in the United States where lawyers openly advertise their services to the public and where special clothes and wigs, still a feature of the English system, have mostly disappeared. But it seems likely that legalese will survive for a long time to come. One reason for this is that old documents and reports of old cases have great importance in law, particularly in common law systems. Another reason is that rewriting laws is a slow and painstaking process. The words must try to cover every eventuality, because people are always looking for a legal loophole, a way of avoiding a legal duty by making use of an ambiguity or an omission in law. Consequently if there is an existing law which has worked for a long time, even a law which contains old language in long and complex sentences, it is easier to retain the old law than write a new one. Even when a government draws up a new law it is often guided by the wording of an older law.

But perhaps the main reason that legalese still survives lies in the nature of law itself. Laws are attempts to implement justice, government policy, or just plain common sense. In order to be effective they must be as unambiguous as possible. Everyday language is often very ambiguous, but this does not matter if we are dealing with familiar situations or talking to people we know. The law, however, has to regulate relations between people who neither know nor trust each other and who are in unfamiliar situations. It is an unfortunate necessity that this sometimes requires complex language which has to be explained by experts. English legalese is characterized by:

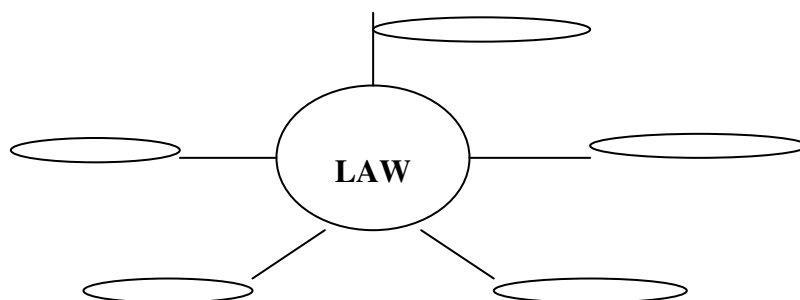
1. Words and expressions which have no meaning for non-lawyers, some of them coming from Latin or French. For example: **replevin**—the right to take back goods which were illegally removed; **nemo dat** (quod non habet)—the principle that a person has no right to property acquired from a person who did not legally own it; **cy-pres**—the court's right to grant property to another similar charity if the charity the donor hoped to benefit does not exist.

2. Words which look like ordinary English but have a special meaning when used by lawyers. For example: **nuisance** — interference with someone's enjoyment of land; **consideration** — something given or given up on making a contract.

3. Formal words which most people understand but which are very old-fashioned. For example: **hereinafter**—from now on; below in this document; **aforsaid**—previously mentioned.

4. Very long sentences containing many clauses which limit and define the original statement.

2. Выпишите из текста пять словосочетаний со словом «law». Переведите их. Составьте с ними предложения.



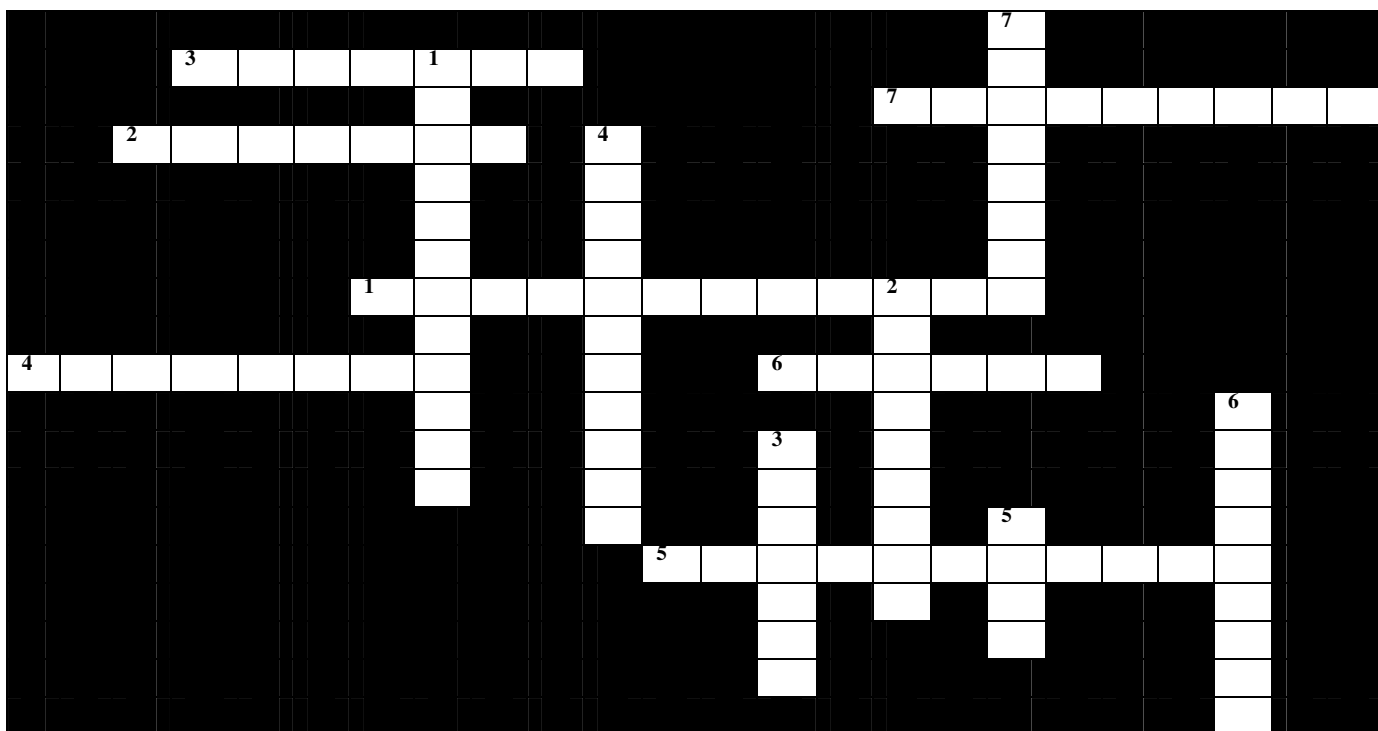
4. Напишите антонимы следующих слов из текста и составьте предложения с одной из пар.

Disappeared, incomprehensible, repaid, unambiguous, unfamiliar, unfortunate, non-lawyers, illegally.

5. Соревнование между группами. Студенты разделяются на две группы. Одна группа разгадывает кроссворд (А), другая – кроссворд (Б). Побеждает та группа, которая решит кроссворд первой.

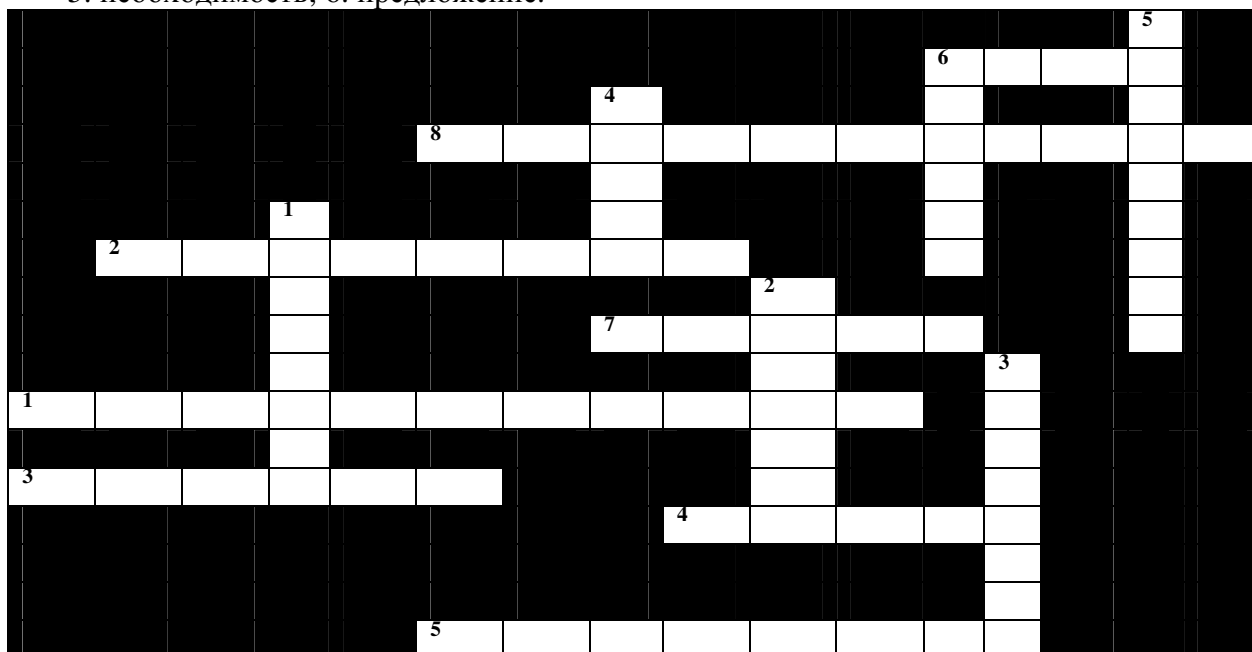
По горизонтали: 1. метаязык; 2. благотворительность; 3. вносить ясность; 4. юридический язык; 5. кропотливый; 6. продолжать существовать; 7. вышеупомянутый.

По вертикали: 1. вмешательство; 2. рекламировать; 3. разнообразие; 4. сложный; 5. судебное дело; 6. двусмысленность; 7. лазейка.



Б) По горизонтали: 1. возможный случай; 2. собственность; 3. юрист; 4. юридический; 5. упущение; 6. судебное дело; 7. суд; 8. ниже, в дальнейшем.

По вертикали: 1. обычно; 2. справедливость; 3. жаловаться; 4. доверять; 5. необходимость; 6. предложение.



6. Прочитайте отрывок из акта о завещании 1837 г., который был дополнен в 1982 г. и действует в настоящее время. Перепишите этот текст современным английским языком.

"No will shall be valid unless:

- (a) it is in writing, and signed by the testator or some other person in his presence and by his direction; and
- (b) it appears that the testator intended by his signature to give effect to the will; and
- (c) the signature is made or acknowledged by the testator in the presence of two or more witnesses present at the same time; and
- (d) each witness either-
- (e) attests and signs the will; or
- (f)acknowledges his signature in the presence of the testator (but not necessarily in the presence of any other witness), but no form of attestation shall be necessary."

7. Работа в мини-группах. Обсудите, является ли написанное Тедом завещание юридически правильно оформленным в соответствии с действующим законодательством Великобритании (см. отрывок из акта о завещании 1837 г.). Расскажите о своих выводах в аудитории, используя выражения из модели.

Models:

You should take into consideration the fact that...	– Нельзя не принять во внимание тот факт, что...
You can't deny that...	– Вы не будете отрицать, что...
Well, that might be true, but...	– Возможно, это и верно, но...
I wonder if you could help me to understand...	– Не могли бы Вы мне помочь понять...
Can you give me an example?	– Приведите мне, пожалуйста, пример...
That may be true, but...	– Это может быть и верно, но...

Ted writes out a will leaving all his property to his wife. He phones his friends Al and Bill to come over and witness the will. While he is waiting for them to arrive, he signs his will. When Al and Bill arrive he shows them the will and says "You see I've signed it at the bottom." Al signs his own name and then leaves. While Ted is out of the room saying goodbye to Al, Bill signs the will. When Ted comes back in Bill says "Look, here's my signature."

UNIT 5. TEST YOURSELF

1. Прочитайте текст и вставьте пропущенные слова.

The English word 'law' refers to limits upon various 1. Some laws are 2: they simply describe how people, or even natural phenomena, usually behave. An example is the rather consistent law of gravity; another is the less consistent laws of economics. Other laws are 3 — they prescribe how people ought to behave. For example, the speed lim-

its imposed upon drivers that prescribe how fast we should drive. They rarely describe how fast we actually do drive, of course.

In all societies, relations between people are regulated by prescriptive laws. Some of them are 4 — that is, informal rules of social and moral behavior. Some are 5 we accept if we belong to particular social institutions, such as religious, educational and cultural groups. And some are precise laws made by nations and enforced against all citizens within their power.

Customs need not to be made by 6, and they need not be written down. We learn how we are expected to 7 in society through the instruction of family and teachers, the advice of friends, and our experiences in dealing with strangers. Sometimes, we can 8 these rules without suffering any penalty. But if we continually break the rules, or break a very important one, other members of society may ridicule us, act violently toward us or refuse to have anything to do with us. The ways in which people talk, eat and drink, work, and relax together are usually called customs.

Members of every 9 have made laws for themselves in self-protection. If it were not for the law, you could not go out in daylight without the fear of being kidnapped, robbed or murdered. In the absence of law you could only rely upon 10.

Every country tries, therefore, to provide laws, which will help its people to live safely and comfortably. This is not at all an easy thing to do. No country has been successful in producing laws, which are entirely satisfactory. But the imperfect laws are better than none.

forms of behaviour, descriptive, prescriptive, customs, rules, governments, behave, break, community, the law of the jungle.

2. Озаглавьте текст.

1. The types of law.
2. Laws and customs.
3. The need for law.
4. Law and society.

3. Напишите небольшое эссе (100слов) о том, в чем заключается разница между двумя видами законов, описанных в тексте. Проиллюстрируйте разницу собственными примерами.

4. Разделите слова из текста и переведите их на русский язык

People/prescribedriveeducationalrulesmoralpowerationscustomsinstructioneducationalstrangers
successfuleatbreakeasykidnappedotherexperiencebetterentirely.

5. Переведите слова на английский язык, найдите и обведите их на буквенной карте.

закон, обычай, общество, правила, наказание, несовершеннолетний, описывать, семья, гражданин, явления.

c	o	p	k	y	t	i	r	u	t	a	m	a	q	c	e	k	l	e	l	r
u	y	u	t	a	s	q	x	r	p	w	u	p	v	j	k	d	o	z	n	u
s	h	i	n	y	a	l	a	e	c	e	l	h	a	b	l	m	a	f	y	l
t	w	l	s	t	a	e	v	b	t	c	i	e	t	s	e	r	k	a	p	e
o	p	p	x	l	a	n	k	i	a	t	e	n	u	t	s	n	k	c	l	s
m	q	v	g	a	n	p	k	r	t	f	n	o	b	o	a	f	r	g	b	o
g	e	c	l	n	q	u	i	c	f	u	n	m	s	b	r	h	s	h	y	i
n	i	i	g	e	w	c	y	s	e	m	a	e	d	l	a	w	r	a	i	l
i	u	t	o	p	d	t	d	e	m	p	f	n	b	n	q	m	z	d	o	l
t	d	i	x	o	s	t	e	d	s	a	o	a	l	b	a	i	d	n	t	u
a	y	z	w	m	b	e	f	a	m	i	l	y	u	p	p	l	y	r	a	b
l	s	e	g	e	x	p	a	j	f	w	e	s	o	c	i	e	t	y	g	d
u	j	n	h	i	m	p	e	r	f	e	c	t	n	t	a	x	g	t	s	l
c	b	v	j	m	a	r	d	q	m	h	p	c	d	e	j	n	b	b	l	o

GLOSSARY

1. conduct - 1. поведение; 2. руководить, проводить (ч-л)

rules of ~ – правила поведения

criminal ~ – уголовное поведение

~ cases in court – вести дела в суде

2. custom - обычай

international ~ – международный обычай

~ and traditions – обычаи и традиции

~s of war – обычаи войны

~ in trade – торговый обычай

3. govern - править, управлять, руководить, регулировать, определять смысл

~ our conduct – регулировать наше поведение

~ a country (a people) – управлять страной (народом)

~ with justice – справедливо руководить

governor – правитель

government - правительство

4. ensure - обеспечивать, гарантировать

~ independence – гарантировать независимость

~ law and order – обеспечивать правопорядок

5. law – закон, право

common ~ system – система общего права

descriptive ~s – законы, описательного характера

the nature of ~ - природа права

prescriptive ~s – предписывающие законы, основанные на праве давности или обычая

substantive ~ - материальное право

wording of a ~ - формулировка закона

lawyer – юрист

lawful – законный

by ~ means – правовыми средствами

6. property – собственность

cultural ~ – собственность на предметы искусства

government(al) ~ – государственная собственность

literary ~ – литературная собственность

private ~ – частная собственность

public ~ – общественная собственность

7. public – общественный, государственный

~ duty – общественная обязанность

~ figure – общественный деятель

~ morality – общественная мораль

~ officer – государственный служащий, чиновник, должностное лицо

~ opinion – общественное мнение

8. right – 1. правота, справедливость, право, привилегия; 2. правый, правильный

civil ~s – гражданские права

individual's ~ – право человека

defend ~ – защищать справедливость

respect owner's ~ – уважать право собственника

~ order – правильный порядок

9. rule – 1. правило, норма, предписание, приказ; 2. устанавливать правило

~ of court – судебное предписание

~ of law – норма права

~s of behaviour – правила поведения

~s of practice – процессуальные нормы

~ the law - устанавливать нормы права

10. safeguard – 1. гарантировать, охранять, предохранять (от чего-л.); 2. гарантия, защита, охрана

~ smb's interests – охранять ч-л интересы

constitutional ~ – конституционная гарантия (права)

legal ~ – правовая гарантия, правовая защита

procedural ~ – процессуальная гарантия

11. society – общество, общественный строй, ассоциация, организация

criminal ~ – преступное сообщество

democratic ~ – демократическое общество

primitive ~ – первобытное общество

well-ordered ~ – высокоорганизованное общество

12. state – 1. излагать, заявлять, формулировать 2. государство, штат (США)

~ the question (facts, an opinion, reasons, a rule) – излагать вопрос (факты, мнение, причины, правило)

~ a case – формулировать спорные вопросы по делу, докладывать о деле

~ a charge – сформулировать обвинение

~ an offence – определить состав преступления

~ one's case – изложить свою аргументацию

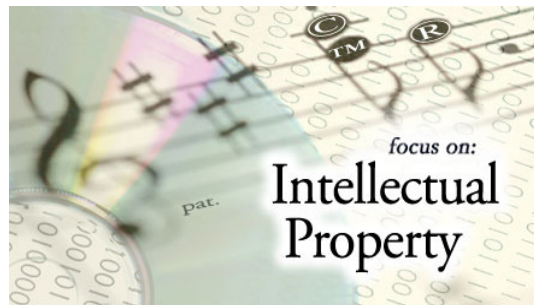
MODULE 6

SYSTEM OF LAW. CLASSIFICATIONS OF LAW

UNIT 1. BRANCHES OF LAW



Reklama



1. Прочитайте и запомните названия некоторых отраслей права, принятые в англо-саксонской системе права. Сравните их с классификацией отраслей права в РФ.

International law, Criminal law, Employment law, Finance law, Banking law, Land law, Tax law, Intellectual property law, Tort law, Ecological (Environmental) Law, Business law, Contract law.

2. Прочитайте и переведите слова и словосочетания из таблицы. Определите, какую отрасль права они описывают. С помощью этих слов опишите, те отрасли права, которые изображены на рисунках. Обратите внимание, что два описания – лишние.

1.	a. collective bargaining agreements, protection from gender discrimination, wages and hours, health and safety of employees, disciplinary or termination procedures, minimum wage standards, full-time workers, vacation
2.	b. divorce, child custody, child support, setting alimony and maintenance, marriage, parents, marriage contract
3.	c. literary or artistic works, intangible creation, creator, piracy, trademark counterfeiting, copyrighted property, patents, trademarks, trade secrets, downloading music from sites
4.	d. drinking water, air quality, fertilizers, herbicides, pesticides, odours from a nearby dump, a polluter, pollution control methods, contamination, nature, trash, recycling
5.	e. liquidity, insolvency, accounts, defaulting, liquid assets, capital, bank deposits, foreign currency, loans and credits
6.	f. sovereignty, protection of nationals abroad, conventions, The United Nations Charter, treaties, sovereign states, foreign relations, multilateral agreements, mediation
7.	g. taxpayers, audit procedures, payment schedules, tax calculations, flat or progressive tax rates, tax evasion, VAT, income tax
8.	h. government funding, sale of bonds, hard currency, funds, trends, capital markets, risk management, regulatory restrictions
9.	i. offences, penalties, serious crimes, capital punishment, conviction, warrant of arrest, sentence, imprisonment, handcuffs
10.	j. civil liability, negligence, harm to a person, defamation, compensation, plaintiff, defendant

3. Прочитайте и переведите примеры судебных дел. Как Вы думаете, нормы какой отрасли права (согласно российской системе права) могут применяться в каждом конкретном случае.

1. The divorced father has a court order allowing him to see his son once a week, but the mother, who has remarried, doesn't let him contact with the child.
2. The employee was made redundant. The company didn't pay him the money he had earned and refused to pay compensation.
3. The relatives of the deceased person don't agree with the will. They think it is invalid.
4. A new housing estate has been built on a territory of the national park. The local authorities say that they haven't given permission for the construction.
5. A company promised to deliver new equipment by the end of April. It's the end of May already, but the equipment hasn't arrived yet.
6. Your neighbours make an excessive noise every night. You can't endure it any more.
7. One hundred unlicensed copies of discs have been sold.
8. During the fierce argument one man snatched a knife and stabbed it into the other man. Four hours later the injured man died in hospital.
9. The owner of a pit bull terrier allowed it to be in a public place without being muzzled.

4. Прочитайте описание правовых дисциплин, которые предлагаются студентам-юристам в высшем учебном заведении. Сопоставьте описание с названием курса.

- Introduction to law
- Criminal procedure
- Civil procedure
- Contract law
- Constitutional law
- Criminal law
- Legal research

1. _____ The course describes the nature of legal research. Students will analyze judicial opinions, apply legal concepts and rules and learn legal precedents. Special attention is given to writing memoranda and briefs.
2. _____ The course describes general principles of the study of law. Students will develop certain basic skills such as reading, analysis and interpretation of statutes. They will discuss fundamental aspects of the legal process, e.g. how courts "apply laws" or main functions of law enforcement bodies.
3. _____ Topics covered in this course include crimes against persons and property with special emphasis placed upon the law of homicide.
4. _____ This course covers regulation of law enforcement conduct during the investigation of crimes. Topics include search and seizure, types of surveillance, identification procedure, etc.
5. _____ This course covers the general principles of federal constitutional law, including distribution of authority between the national government and the state government; the judicial functions in constitutional cases; intergovernmental relations; the federal constitution and its amendments.
6. _____ This course covers the process of litigation at the level of district courts and appeal at the level of Supreme Court. Students will study and analyze different procedural documents on state and federal levels.
7. _____ The course covers the fundamental principles of formation, interpretation, performance and enforcement of legally binding agreements.

5. Ответьте на вопросы.

1. Which courses cover basic skills that students will need in their future career?
2. Do you have the same courses at your university?
3. What is the difference between these courses and the courses at your university?
4. Which course are you mostly interested in? Why?

В английском языке существует группа так называемой интернациональной лексики. К ней относятся, например, слова **“legal”**, **“public”**, **“private”**. О значении слов этой группы нетрудно догадаться, так как в русском языке есть однокоренные аналоги. Однако в специализированной литературе интернациональные слова могут образовывать терминологические словосочетания (клише), отличные от их однокоренных аналогов. Ниже приведены примеры перевода наиболее распространенных словосочетаний со словом **“legal”**.

правовой

- ~ document – правовой документ
- ~ obligation – правовое обязательство
- ~ system – система права

судебный

- ~ action – судебный иск
- ~ costs – судебные издержки
- ~ decision – решение суда
- ~ procedure – судопроизводство
- ~ remedy – средство судебной защиты

законный

- ~ government – законное правительство
- ~ foundation – законное основание
- ~ owner – законный владелец

юридический

- ~ person – юридическое лицо
- ~ profession – профессия юриста
- ~ adviser - юрисконсульт
- ~ ethics - профессиональная этика юриста
- ~ department – юридический отдел
- ~ language – юридический язык, язык юристов
- ~ aid - бесплатная юридическая помощь малоимущим

6. Переведите на русский язык предложения, обращая внимание на словосочетания со словом **“legal”**.

1. To the rest of the world the English **legal profession** is very strange because historically there were two types of lawyers: barristers and solicitors.
2. Every **legal system** has many shortcomings.
3. Criminal charges and divorce are normally seen as matters needing **legal help** and advice.
4. Not every accident victim has a **legal remedy**. Some accidents are nobody’s fault.

5. There is a large information gap in people's awareness of their **legal rights**.
6. Such **legal knowledge** as people had came largely from newspapers and television.
7. The new Community **Legal Service** aims to provide **legal information** as well as **legal advice** and representation.
8. Newspapers regularly carry frightening stories about losers in **legal actions** who face bills of thousands of pounds.
9. **Legal costs** of the lowest income group are paid by the state.
10. **Legal aid** is usually granted as long as financial test is satisfied.

7. Переведите на русский язык словосочетания со словом “private”, которое переводится как частный, личный, закрытый (не для всех), не находящийся на государственном обеспечении, конфиденциальный (не подлежащий огласке). Составьте пять предложений с любыми из них.

Private citizens, private relationships, private information, private law, private life, private property, private expert laboratories, private bank, private office, private school, private meeting, private letter, private bill, private life.

8. Переведите на русский язык словосочетания со словом “public”, которое переводится как общественный, коммунальный, публичный, открытый, общедоступный, государственный. Составьте пять предложений с любыми из них.

Public relations (PR), public law, public morality, public service, public library, public lands, public notary, public facilities, public opinion, public debt, public figure, public order, public holidays, public office, public school, public act.

9. Составьте рассказ из данных ниже предложений, используя логико-грамматические лексические единицы: when - когда; also – также; on the other hand – с другой стороны; thus, so – таким образом; in addition to – кроме того; in general – вообще; since – так как.

1. It usually takes three years to complete law degree programmes in the UK.
2. _____, these programmes typically include core subjects such as criminal law, constitutional law, administrative law, contract law, tort law, land law, etc.
3. _____, students are often required to take courses covering skills such as legal writing and legal research.
4. There are also optional (elective) courses available. _____ many law students often choose courses that will be useful in their future career.
5. Many universities _____ offer courses on legal practice.
6. _____, for students who wish to work in a commercial practice, knowledge of foreign languages is essential.
7. _____ law firms hire recruits, they generally look at four things: education, personality, work experience and language ability.
8. _____ English is the language of the international legal community, law firms increasingly expect graduates to have a good command of English.

UNIT 2. SYSTEM AND CLASSIFICATION OF LAW

Повторение грамматики: неличные формы глагола

	ing - формы		ed - формы		to - формы	
	Active	Passive	Active	Passive	Active	Passive
Одно-временность	V + ing	being + V 3f			to + V to be +V+ing	to be+V3f
				V +ed V 3f	to have + been + V+ing	
Прешествование	having+V3f	having+been +V3f			to have + V3f	to have + been + V 3f
	Сигналы: 1. предшествования – having 2. пассива – being, been				Сигналы: 1. предшествования – to have 2. пассива – to be, been и отсутствие ing - формы	

1. Прочитайте предложения, в которых ing-формы выступают в качестве подлежащего предложения. Определите, какой частью речи они переводятся на русский язык.

1. Reading books is useful.
2. Asking him about it is useless.
3. Writing a good report is not easy.
4. Your being here means much more than just pleasure.

2. Прочитайте предложения, в которых ing-формы выступают в качестве дополнения в предложении. Определите, какой частью речи они переводятся на русский язык.

1. I like reading books.
2. I am pleased with his studying English so hard.
3. They insisted on our meeting.
4. I've given up smoking.
5. I had the pleasure of knowing him personally.
6. We haven't had a chance of learning the truth.

7. Did he have any special reason for saying that?

3. Прочитайте предложения, в которых ing-формы выступают в качестве обстоятельства в предложении. Определите, какой частью речи они переводятся на русский язык.

1. The bus passed without stopping.
2. Learn to swim by swimming.
3. On arriving at the station they found out that the train had started.
4. Making sure I had the right number, I phoned again.
5. Having passed my driving test, I was able to buy my first car.
6. She spent all yesterday afternoon cleaning the flat.

4. Прочитайте предложения, в которых ing-формы выступают в качестве определения в предложении. Определите, какой частью речи они переводятся на русский язык.

1. The train arriving at platform 8 is the 17.50 from London.
2. The white stone house being built near the park is a new building of the Art Museum.
3. Law dealing with the structure of the government is called constitutional.
4. Employment law is the law relating to the employment of workers, their contracts, and conditions of work.
5. Contract law deals with legally binding agreements between people or companies.

5. Прочитайте предложения, в которых ing-формы выступают в качестве составной части сложного глагольного сказуемого в предложении. Определите, какой частью речи они переводятся на русский язык.

1. The weather this summer is disappointing.
2. The tone in which she spoke with me was convincing.
3. The students' tests results were pleasing.

6. Прочитайте предложения, обращая внимание на ing- формы. Определите, какие функции в предложении они выполняют. Заполните таблицу соответствующими формами. Переведите предложения на русский язык.

FUNCTION	EXAMPLES	TRANSLATION
Subject		
Object		
Predicative		
Attribute		
Adverbial Modifier		

1. I have been convicted of breaking the law because I was trying to stop others from doing so. It's totally unjust.
2. Generally speaking, this law treats of rules, principles, and maxims which govern the decisions of a court.
3. The law may be seen as a binding or enforceable rule of conduct passed by legislation, and recognized as such by the community.
4. Laws can also be classified as being either Substantive, or Procedural Law.
5. English law has an evolving history dating from the local customs of the Anglo-Saxons, traces of which survived until 1925.
6. Every country has its own historically developing system of norms, legal institutions and branches of law, which regulates different types of social relations.
7. Contract law deals with legally binding agreements between people or companies that are called parties to a contract.
8. Having explained this simple law of war that delivers all enemy persons and property absolutely to the victor or occupant, the author approaches the more intricate subject of neutrality.
9. The rules of bringing the breaching party into court and the conduct of the trial are rather mechanical and constitute procedural law.
10. A clearer comparative understanding is also critical in assessing the effects of Western legal ideas in Russia.
11. If an Englishman wants to sell property he owns in France to another Englishman, any English court must consider French law when deciding the legality of the contract of sale.
12. In all legal systems there are institutions for creating, modifying, abolishing and applying the law.

7. Прочитайте текст А. Подчеркните ing – формы. Определите, какие из них выражают одновременность с действием, выраженным сказуемым предложения, а какие указывают на предшествование действию сказуемого предложения.

А. Matt and Luther decide to skip school. They take Luther's brother's car without telling him and drive to a local shopping center. Ignoring the sign "Parking for Handicapped Persons Only", they leave car and enter a radio and TV shop. After looking around, they buy a portable AM-FM radio. Then they buy some sandwiches from a street vendor and walk to a nearby park. While eating, they discover that the radio does not work. In their hurry to return it, they leave their trash on the park bench. When Matt and Luther get back to the shopping center, they notice a large dent in one side of their car. The dent appears to be the result of a driver's carelessly backing out of the next space. They also notice that the car has been broken into and that the tape deck has been removed. They call the police to report the accident and theft. When the police arrive, they seize a small clear bag containing illegal drugs from behind the car's back seat. Matt and Luther are arrested.

В. Поставьте глаголы в скобках в формы, соответствующие повествованию в прошедшее время.

Matt and Luther **decided** to skip school. They (take) Luther's brother's car without (tell) him and (drive) to a local shopping center. (Ignore) the sign "Parking for Handicapped Persons Only", they (leave) car and (enter) a radio and TV shop. After (look) around, they (buy) a portable AM-FM radio. Then they (buy) some sandwiches from a street vendor and (walk) to a nearby park. While (eat), they (discover) that the radio (not work). In their hurry to return it, they (leave) their trash on the park bench. When Matt and Luther (get back) to the shopping center, they (notice) a large dent

in one side of their car. The dent (appear) to be the result of a driver's carelessly backing out of the next space. They also (notice) that the car (be broken) into and that the tape deck (be removed). They (call) the police to report the accident and theft. When the police (arrive), they (seize) a small clear bag (contain) illegal drugs from behind the car's back seat. Matt and Luther (be arrested).

8. Работа в парах. Обсудите с коллегой ответы на вопросы к тексту. Выскажите свою точку зрения в аудитории.

1. What offences did Matt and Luther commit?
2. What branches of law are involved in the story?

9. Прочитайте и переведите текст.

TEXT

CLASSIFICATION OF LAW

Every country has its own historically developing system of norms, legal institutions and branches of law, which regulates different types of social relations. In order to understand different aspects of a system of law it is necessary to look at various classifications of law. Numerous classifications that vary from country to country usually reflect the peculiarities of different systems of law. Nevertheless there are the most common divisions singled out by contemporary jurists. Thus law is frequently classified into public and private and substantive and procedural.

The distinction is often made between public and private law. Public law deals with matters that affect society as a whole. It includes areas of the law that are known as criminal, constitutional and administrative law. These are the laws that deal with the relationship between the individual and the state, or among jurisdictions. For example, if someone breaks a criminal law, it is regarded as a wrong against society as a whole, and the state takes steps to prosecute the offender.

Private law, on the other hand, deals with the relationships between individuals in society and is used primarily to settle private disputes. Private law deals with such matters as contracts, property ownership, the rights and obligations of family members, and damage to one's person or property caused by others. When one individual sues another over some private dispute, this is a matter for private law. Private suits are also called "civil" suits.

The next classification which is widely used is subdivision of law into substantive and procedural. There are many laws and legal rules found in statutes, cases decided by courts (legal precedents) and other sources that are applied by courts in order to decide lawsuits. These rules and principles of law are classified as substantive law. On the other hand, the legal procedures that provide how lawsuit is begun, how the trial is conducted, how appeals are filed, and how a judgment is enforced are called procedural law. In other words, substantive law is the part of the law that defines rights, and procedural law establishes the procedures which enforce and protect these rights. For example, two parties entered into a contract, but then one of the parties breached this contract. The rules of bringing the breaching party into court and the conduct of the trial are rather mechanical and constitute procedural law. Whether the agreement was enforceable and whether the other party is entitled to damages are matters of substance and will be determined on the basis of the substantive law of contract.

The jurists of all countries admit that it is necessary to differentiate between international law and national law. The latter is also called domestic law or municipal law. Domestic law is the law which is applicable within the boundaries of one state. International law is the body of legal rules that regulate relations between sovereign states. It is a special system which is not a part of the national law of the state. There are some important differences between international law and do-

mestic law. Domestic laws are passed by legislative bodies, most of which have popular political support. International laws, on the other hand, are created by agreements between governments of different states. As a result, they don't have the support from individual citizens. Enforcement of international laws is also different. Many international agreements or treaties are not binding; even when nations agree to be bound, it is unclear how obligations to be enforced. Countries differ greatly with regard to the importance attached to international obligations. Some states consider international obligations superior to their domestic laws, but in most cases international obligation are considered as a part of national law.

10. Подберите русские эквиваленты к словам и словосочетаниям из текста.

1. public law	a. международные обязательства
2. private law	b. нарушить договор
3. substantial law	c. судебные прецеденты
4. procedural law	d. внутреннее право страны
5. a wrong against society	e. частное право
6. to prosecute the offender	f. соглашения между правительствами
7. to settle private disputes	g. иметь право на возмещение ущерба
8. damage to one's person or property	h. процессуальное право
9. legal precedents	i. вступать в договорные отношения
10. legal procedure	j. публичное право
11. to enter into a contract	k. разрешать споры между частными лицами
12. to breach the contract	l. материальное право
13. domestic law or municipal law	m. преследовать преступника по закону
14. agreements between governments	n. преступление против общества
15. to be entitled to damages	o. судебная процедура
16. international obligations	p. ущерб человеку или его собственности

11. Переведите слова и словосочетания из текста на русский язык:

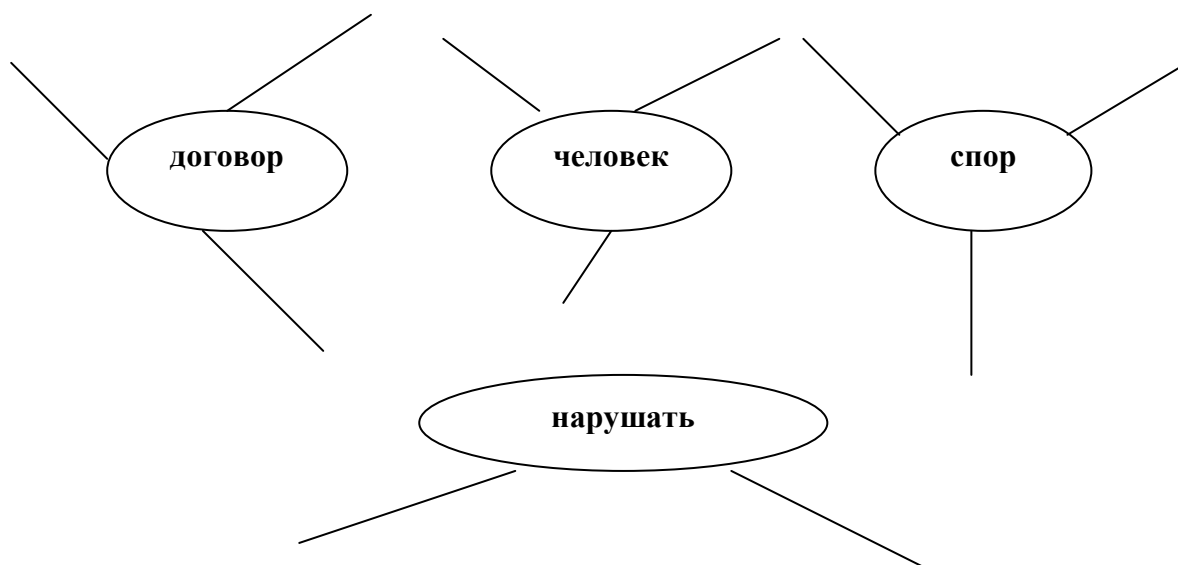
1. reflect the peculiarities of different systems of law
2. common division
3. subdivision of public law
4. contemporary jurists
5. the relationships between individuals
6. private suits
7. laws and legal rules
8. to file appeals
9. to enforce judgment
10. sovereign states
11. breaching party
12. treaties are not binding

12. Найдите в тексте английские эквиваленты и составьте с ними свои предложения.

1. различия, выделяемые современными правоведами
2. отношение между человеком и государством
3. права и обязанности членов семьи

4. один человек подает иск против другого
5. для того, чтобы разрешить тяжбу
6. две стороны вступили в договорные отношения
7. процедура проведения судебного разбирательства
8. вопросы материально-правового характера
9. последний из вышеупомянутых называется
10. применяется в пределах одного государства
11. законы принимаются законодательным органом страны
12. имеют политическую поддержку народа

13. Найдите в тексте английские словосочетания в количестве, соответствующем числу лучей. Составьте рассказ, используя все выписанные Вами словосочетания, учитывая их контекстуальное значение.



14. Переведите предложения на английский язык.

1. В зарубежном правоведении общепринято деление системы права на публичное и частное право, вытекающее из природы отношений между личностью и государством.
2. Деление такого рода проводили древнеримские юристы, различавшие в праве частное и публичное.
3. Задача публичного права - регулировать отношения государства с гражданами и иными субъектами права.
4. Систему частного права составляют нормы, регулирующие гражданские, семейные и трудовые отношения.
5. Наряду с частным и публичным правом существует классификация, разделяющая право на материальные и процессуальные отрасли права.
6. Связь материальных и процессуальных отраслей права является взаимной и двусторонней. Материальные отрасли определяют правовой статус субъектов, устанавливая условия и основания возникновения процессуальных отношений. Процессуальные отрасли закрепляют порядок разрешения конфликтных ситуаций, возникающих при реализации норм материальных отраслей права.

UNIT 3. CRIMINAL AND CIVIL PROCEDURE

Повторение грамматики: использование артиклей и количественных наречий с исчисляемыми и неисчисляемыми существительными.

1. Приведите варианты перевода слова “law” на русский язык. На основании примеров, приведенные ниже, сформулируйте правило употребления артиклей с исчисляемыми и неисчисляемыми существительными.

- **a law/the law** – a rule that people in a particular country or city must obey. *There ought to be a law against smoking in public places.*
- **law/the law** (no plural form)– the whole system of rules that citizens of a country must obey. *Discrimination in any form must be against the law.*
- **law** (no plural form) - a particular type of law, usually used in the names of branches of law, e.g. criminal law, land law etc. *I'm going to chose business law as my major.*

1. All citizens of one country must be equal before the law.
2. Those people who break the law must be punished.
3. We should pass a new law to solve this problem.
4. According to law every citizen has to pay taxes.
5. Some bills proposed by the government will never become laws.
6. In some countries there is a law which allows citizens to carry guns.
7. Criminal law deals with types of crimes and punishment for them.
8. The law on compulsory seat belts has been a success.
9. Respect for law is the foundation of every civilized society.
10. The soldiers will be charged under military law.

2. Переведите слова из таблицы. Определите, какие из них являются исчисляемыми, а какие – неисчисляемыми существительными.

branch	work	lawsuit	legislation	statute
news	litigation	labour	witness	advice
case	rule	claim	job	subject
state	money	punishment	system	principle
information	employment	paper	testimony	law

3. Переведите предложения. Найдите в них наречия. Сформулируйте правило употребления количественных наречий с исчисляемыми и неисчисляемыми существительными.

1. I have a lot of work.
2. There are a lot of branches of law.
3. I don't have much work at the weekend.
4. There are not many employees in this company.

5. There is a little evidence in the case.
6. There are a few difficult subjects on the first year.
7. Unfortunately, we have little money, we can't afford it.
8. There are few witnesses in this case.

4. Переведите словосочетания, обращая внимание на употребление количественных наречий.

Несколько полезных советов, множество претензий, мало свидетельских показаний, несколько принципов, мало юристов, мало информации, недостаточно денег, много работы, несколько бумаг, множество отраслей права, несколько судебных процессов, мало новостей, несколько правил, мало доказательств, множество государств.

5. Заполните пропуски артиклями там, где это необходимо.

1. There are ... special agencies which can provide you with ... legal advice if you need it.
2. ...corporal punishment can't be used at schools or any other educational institutions.
3. There is ... evidence that proves his guilt.
4. If you need ... further information call our centre.
5. As ... rule ... plaintiff starts ... litigation against ... defendant.
6. ... constitutional law is ... important subject in every law school.
7. The process of making ... laws is called ... legislation.
8. ... family law prohibits ... child labour in any forms.
9. Presumption of innocence is ... important principle of ... criminal law.
10. ... law is ... system of ... rules that citizens of a country must obey.

6. Переведите предложения на английский язык.

1. - Какие отрасли права вы знаете? – Я знаю много отраслей права, но думаю, что основными являются конституционное, уголовное и гражданское право.
2. К сожалению, в деле очень мало доказательств. Их недостаточно, чтобы доказать его вину.
3. Эти судебные процессы (тяжбы) продолжаются уже несколько лет.
4. Раньше смертная казнь считалась высшей мерой наказания. Позже во многих странах она была заменена пожизненным сроком заключения.
5. В деле немного информации, т.к. очень мало свидетелей, которые видели это преступление и могут дать показания.

7. Прочитайте текст, заменяя русские словосочетания в скобках их английскими эквивалентами из рамки.

TEXT

CRIMINAL AND CIVIL PROCEDURE

1. the plaintiff 2. prove the guilt of a criminal "beyond reasonable doubt" 3. pursues his claim for compensation 4. will not automatically be found liable in a civil action about the same matter 5. the standards of proof are higher 6. have to pay the legal costs of the prosecution 7. make a rather clear distinction 8. the party bringing a criminal action 9. the procedures for forcing him to comply 10. prove his case "on the balance of probabilities."

Most countries (*делают четкое различие*) between civil and criminal procedures. For example, an English criminal court may force a defendant to pay a fine as punishment for his crime, and he may sometimes (*вынужден оплачивать судебные издержки уголовно-судебного преследования*). But the victim of the crime (*подает иск о возмещении ущерба*) in a civil, not a criminal, action. (*Критерии доказанности выше*) in a criminal action than in a civil one since the loser risks not only financial penalties but also being sent to prison or, in some countries, executed. In English law the prosecution must (*доказать виновность преступника «вне всякого разумного сомнения»*); but the plaintiff in a civil action is required to (*доказать свое дело на «соотношении вероятностей»*).

Criminal and civil procedures are different. In Anglo-American law, (*сторона возбуждающая уголовное дело*) [the state] is called the prosecution, but the party bringing a civil action is (*истец*). In both kinds of action the other party is known as the defendant. A criminal case against a person called Ms. Sanchez would be described as "The People vs. (= versus, or against) Sanchez" in the United States and "R. (Regina, that is, the Queen) vs. Sanchez" in England. But a civil action between Ms. Sanchez and a Mr. Smith would be "Sanchez vs. Smith".

Nevertheless there are many point of contact between criminal and civil law. In most countries if the loser of a civil case refuses to comply with the order made against him—for example, to pay money to the winner of the action—(*процедуры, принуждающие его выполнить предписание суда*) may result in a criminal prosecution. Disobeying any court may constitute criminal conduct, and the disobedient loser of a civil action may find he or she not only has to pay the damages originally ordered by the court, but a criminal penalty as well.

Although the guilty defendant in a criminal case (*не будет автоматически нести гражданскую ответственность по тому же делу*), but his chances of avoiding civil liability are not good. This is because the standard of proof in the civil case is lower than it is in the criminal case. The plaintiff will therefore make sure any information about a relevant criminal case is passed to the civil court.

8. Закончите предложения в соответствии с содержанием текста.

1. A criminal case is brought by _____.
2. The person is charged with the criminal offence is _____.
3. The party bringing a civil action is _____.
4. A successful criminal prosecution will result in _____.
5. If the plaintiff is successful the defendant will be found _____.
6. The plaintiff is required to prove his case _____.
7. The prosecution must prove the guilt of the defendant _____.

9. Выпишите из текста в таблицу термины, которые описывают уголовный и гражданский процессы в англо-американской системе права (некоторые из них употребляются в обоих процессах). Переведите их на русский язык.

CRIMINAL PROCEDURE	CIVIL PROCEDURE

10. Часть терминов в данном тексте использована неверно. Исправьте их.

Once after an argument between a bus conductor and two men who refused to pay their fare for the journey, one of the men shot and killed the conductor. They were arrested, charged with murder and sued in the county court where their guilt was proved on the balance of probabilities. As the plaintiff was successful in the action, they were found liable. They were punished by being ordered to pay the plaintiff £10,000 in damages.

11. Определите, какие дела являются гражданскими, а какие уголовными.

1. Gibson v. Manchester City Council
2. Leaf. v. International Galleries
3. R. v. Bateman
4. Leach v. R.
5. Hunter v. Canary Wharf Ltd.
6. Bridlington Relay Ltd. v. Yorkshire Electricity Board

12. Напишите небольшое эссе (10-12 предложений) на тему: «Основные классификации права», используя информацию из текста на русском языке и логико-грамматические лексические единицы, данные ниже.

1. Although	Хотя
2. In my opinion	По-моему мнению
3. I think it is reasonable to believe that	Я думаю, есть все основания полагать, что
4. On the one hand	С одной стороны
5. On the other hand	С другой стороны
6. However	Однако
7. Furthermore	Кроме того
8. In addition	К тому же
9. Nevertheless	Тем не менее
10. To begin with	Прежде всего

Система права включает в себя отрасли публичного и частного права. Это деление сложилось в юридической науке и практике давно – оно было предложено еще римскими юристами. Сейчас оно в той или иной форме существует во всех развитых правовых системах. Суть указанного разделения состоит в том, что в любом праве есть нормы, призванные обеспечивать, прежде всего, общезначимые (публичные) интересы, т.е. интересы общества, государства в целом (конституционное, уголовное, процессуальное, административное, финансовое, военное право), и нормы, защищающие интересы частных лиц (гражданское, трудовое, семейное, торговое, предпринимательское, кооперативное право и т.д.).

В системе права выделяют также отрасли материального и процессуального права. Отрасли материального права оказывают непосредственное воздействие на общественные отношения. Большинство отраслей относится к категории материального права (уголовное, государственное, предпринимательское, семейное и др.). Объектом материального права выступают имущественные, трудовые, семейные и иные материальные отношения. Процессуальное право регулирует порядок, процедуру осуществления прав и обязанностей сторон. Оно регулирует отношения, возникающие в таких процессах, как расследования преступлений, рассмотрения и разрешения уголовных, гражданских, арбитражных дел. В настоящее время выделяют уголовно-процессуальное, гражданское процессуальное право, арбитражный процесс. Процессуальные нормы существуют практически в любой отрасли, но не все из них выделяются в самостоятельную отрасль. Обе отрасли тесно связаны друг с другом, особенно, когда дело касается их практического применения.

13. Опишите системы права и их основные классификации, пользуясь планом.

- The system of law.
- The common divisions of a system of law.
- The difference between public and private law.
- The difference between substantive and procedural law.
- The difference between domestic and international law.

UNIT 4. INTELLECTUAL PROPERTY LAW

1. Прочитайте и переведите текст.

TEXT

INTELLECTUAL PROPERTY

In general, it is not against the law to steal someone else's ideas. If a man I meet in a bar tells me how people can become rich, and I publish a best-selling book based on his ideas, I do not have to pay him any money or even mention his name in the book. But most countries do place legal limits on copying the exact words someone has written, the art or music they have created, or the technology they have invented. Such work is known as intellectual property. The main legal instruments for protecting it are patents and copyrights.

In order to prevent a new discovery or scientific process from being copied, it is necessary to apply for a patent. If granted, a patent makes it illegal for others to manufacture or use the invention without permission. However, a patent will only be granted if the invention has not yet been shown in public and if it has industrial application. Ideas—mathematical and scientific theories, for example—cannot be patented. The patent must be carefully worded since it may be possible for someone to copy any part of the process or invention not mentioned in the patent.

Literature, artistic works, computer programs, movies and radio and television broadcasts cannot be patented, but they can be protected by copyright. In most countries, such work is automatically protected when it is created; there is no need to apply for or to register copyright. It is usual to record the date of creation and mark it with the international copyright symbol ©, but this is not essential.

As with other kinds of property, intellectual property can only be protected if ownership is clear. The holder of a patent is often a company rather than the individual scientists inventing something in the course of their work. A copyright is usually owned by the creator of the work—the writer, painter or musician—but like other property, it might be passed to someone else. If a journalist is employed by a newspaper then the articles he writes are usually the copyright of the newspaper owner. The copyright in a movie is owned by the film maker, not by individual writers or performers. The copyright in the book is held by the publishers who commissioned it.

In recent years it has been difficult for intellectual property law to keep pace with technological change. Video recording, satellite television, and the use of computers have expanded so rapidly that it is becoming difficult to control copying. The main emphasis of recent laws is not to prevent people from copying, but to ensure they pay for doing so.

The laws of intellectual property usually require anyone wanting to copy something to ask permission from the holder of the patent or copyright. In the case of small-scale use of artistic work,

permission is often granted free of charge. For industrial use of a scientific invention, a great deal of money might need to be paid. But most legal systems allow a certain amount of copying even without asking permission.

2. Соотнесите английские словосочетания из текста с их русскими эквивалентами.

1. to copy the exact words	a. запрещать людям копировать
2. patents and copyrights	b. иметь промышленное применение
3. to apply for a patent	с. патентообладатель
4. to use the invention without permission	d. успевать за техническим прогрессом
5. to have industrial application	e. копировать слово в слово
6. to be carefully worded	f. крупные суммы денег
7. radio and television broadcasts	g. использовать изобретение без разрешения
8. to be protected by copyright	h. использование художественного произведения в небольшом объеме
9. to register copyright	i. подавать заявку на получение патента
10. holder of a patent	g. предоставлять разрешение бесплатно
11. to keep pace with technological change	к. быть точно сформулированным
12. to prevent people from copying	l. радио и телевидение
13. small-scale use of artistic work	m. регистрировать авторское право
14. to grant permission free of charge	n. быть защищенным авторским правом
15. a great deal of money	o. патенты и авторские права

3. Соотнесите определения со словами из рамки. Составьте с этими словами предложения.

a) copyright b) patent c) literature d) idea e) symbol f) music

1. _____ is all the valuable writings of a specific time, nation
2. _____ is a mental conception, a thought or belief
3. _____ is a document granting exclusive rights over an invention
4. _____ is art of composing or performing songs and symphonies
5. _____ is exclusive rights over a book, song, etc.
6. _____ is object, mark that represents another object, an idea

4. Закончите предложения в соответствии с содержанием текста.

1. To steal someone else's ideas _____.
 - a) is punished by the law
 - b) is not punished by the law
 - c) doesn't concern the law at all

2. When I publish a best-selling book based on someone else's ideas, _____.
 - a) I have to pay him some money
 - b) I have to mention his name in the book
 - c) I don't owe him anything

3. In order to prevent a new discovery or scientific process from being copied, _____.
 - a) it is necessary to apply for a patent
 - b) it is necessary to register copyright
 - c) it is necessary to mark it with the international copyright symbol ©

4. The patent must be carefully worded since _____.
- somebody can copy any part of the invention mentioned in the patent
 - somebody can copy any part of the invention not mentioned in the patent
 - somebody can copy any part of the invention despite the patent
5. Literature, artistic works, computer programs, movies and radio and television broadcasts _____.
- can be protected by copyright
 - can be protected by patent
 - can not be protected by the law
6. Intellectual property can only be protected if _____.
- it is patented
 - it is registered
 - its ownership is clear
7. The main emphasis of intellectual property law _____.
- is to prevent people from copying
 - is to ensure people pay for copying
 - is to ask permission from the holder of the patent or copyright

5. Прочитайте статью из «Гражданского кодекса РФ» об интеллектуальной собственности и письменно переведите ее.

Copyright protection subsists, in accordance with this title, in original works of authorship fixed in any tangible medium of expression, now known or later developed, from which they can be perceived, reproduced, or otherwise communicated, either directly or with the aid of a machine or device. Works of authorship include the following categories:

- literary works;
- musical works, including any accompanying words;
- dramatic works, including any accompanying music;
- pantomimes and choreographic works;
- pictorial, graphic, and sculptural works;
- motion pictures and other audiovisual works;
- sound recordings; and
- architectural works.

In no case does copyright protection for an original work of authorship extend to any idea, procedure, process, system, method of operation, concept, principle, or discovery, regardless of the form in which it is described, explained, illustrated, or embodied in such work.

6. Работа в парах. Обсудите дело, которое было передано на судебное рассмотрение. Определите, в пользу какой стороны было вынесено решение. Составьте диалог.

Case.

Several television production companies sued Sony, a manufacturer of home VCRs, charging that VCR consumers were recording their copyrighted works and that Sony was liable because of its marketing of the recorders.

7. Прочитайте текст и заполните пропуски соответствующими словами из рамки.

TRADEMARKS AND TRADE SECRETS

1. register 2. a symbol 3. a competitor 4. legal remedy 5. similar 6. intellectual property 7. the same name 8. secrets 9. a criminal offense

Another kind of _____ is a trademark. Companies often use a certain name or description to help sell their products, or sometimes _____ which everyone comes to associate with that company, such as the M design of McDonald's or the shell design of Shell Oil. To prevent other businesses from using their trademark, companies often _____ them. Another _____ is to take out an injunction against a company which has tried to pass itself off as your company by using _____ or similar packaging. The London store Harrod's took out a passing-off action against a small business in New Zealand not only because it was also called Harrod's but because its bags looked _____.

The law provides some help for companies that want to keep trade secrets confidential. In some countries, it is _____ to pass information about an employer's production methods, business techniques and customer lists. In others, it is legal for a contract of employment to include restrictions about giving away or using such _____, and the restrictions may continue to apply even after the employee has left the company. Some contracts enable a company to take legal action against an ex-employee who tries to work for _____. English law recognizes the need for businesses to protect themselves from ex-employees who start up a rival business, but it also puts limits upon the extent that the company can restrict others.

8. Прочитайте диалог. Расскажите, что Вы узнали о торговых знаках и других объектах интеллектуальной собственности.

Q: What is a service mark?

A: A service mark is exactly the same as a trademark with the exception that it distinguishes your services from others in the market.

Q: Is trademark the same as trade name?

A: A trade name is slightly different to a trademark. A trade name refers to the name of the business or company, where a trademark refers to products/services.

However, a trade name can be used as a trademark if it is used to help distinguish between products and services, for example 'HSBC Savings Account'.

Q: What is qualified as a trademark?

A: Trademarks cannot be freely registered and will be investigated thoroughly before registration is approved. To qualify for registration the trademark must: be distinctive and not be a commonly used word; be available for use, i.e. not used or registered by another party; be lawful.

Q: What Does ®, ™ and SM Mean?

A: A party can display ™ next to a trademark that has not been registered. However, there must be a public claim to the trademark.

A party can display **SM** next to a service mark that has not been registered. However, there must be a public claim to the service mark.

A party can display **®** next to a trademark or service mark that has been legally registered. This symbol will inform people that you have the right to take legal action if the trademark or service mark is violated.

False claims to a registered mark - using the **®** with non-registered marks - is seen as an act of fraud and offenders will be prosecuted.

9. Работа в парах. Соотнесите английские предложения в правой колонке с соответствующими русскими предложениями из левой колонки. Закрывая попеременно колонки, проверьте друг друга.

1. Объектами авторского права являются произведения науки, литературы и искусства независимо от достоинств и назначения произведения, а также от способа его выражения. (ГК. Статья 1259)	a. Author's rights shall not extend to ideas, conceptions, principles, methods, processes, systems, means, and solutions of technical, organizational, and other tasks, discoveries, facts, and programming languages.
2. Авторские права не распространяются на идеи, концепции, принципы, методы, процессы, системы, решения технических, организационных или иных задач, открытия, факты, языки программирования. (ГК. Статья 1259)	b. There shall be permitted without the consent of the author or other right holder and without payment of remuneration, but with obligatory indication of the name of the author whose work is being used and the source of borrowing: quotation in the original and in translation in scholarly, polemical, critical, or informational purposes lawfully published works.
3. Допускается без согласия автора или иного правообладателя и без выплаты вознаграждения, но с обязательным указанием имени автора, произведение которого используется, и источника заимствования: цитирование в оригинале и переводе в научных или информационных целях правомерно обнародованных произведений. (ГК. Статья 1274)	c. Works of science, literature, and art, irrespective of merits and purpose of the work, and thereof, shall be objects of author's rights

10. Прочитайте текст презентации программы трудоустройства студентов юридических вузов. Выделите три основные части и озаглавьте каждую из них.

PRESENTATION

Good morning, and thanks for coming along. It's great that so many of you have managed to make it this morning. I know that winter examination period is coming and time is precious for you. With that in mind, I'll try to keep my talk brief.

Let me just start by introducing myself. I'm Vanessa Brown and I'm going to speak about the Graduate Recruitment Programme. The programme I'm sure will be of particular interest to you as fourth-year students. It's right now that you have to start planning the life after the university, no matter how far ahead it may seem at the moment. I remember sitting in this very lecture hall and listening to a talk similar to one I'm going to give. I applied for a place on the Recruitment Pro-

gramme shortly afterwards and was made a partner last summer. Perhaps this law firm is more demanding than others, but I know from my own experience that the rewards are worth it.

So, there are three main points I'd like to cover today. First, I'll give you little information about our law firm, Somerville LLP. Then I'll go on to outline what we have to offer to new employees. And finally, I'll tell you what we expect from our potential recruits. There will be a few minutes for questions at the end of my talk, but do feel free to interrupt me at any time.

Well, let me start with the first point. Who is Somerville LLP? We are an independent commercial practice that provides the highest quality legal service to our clients. To accomplish this goal we are to recruit and retain the associates who are able to help us meet this demand. But I'd like to say that a new associate lawyer* has an opportunity compatible with his or her own interests in the sphere of legal practice.

This brings me to my next point: what benefits can successful applicants expect? First, our law firm will pay you full course fees for both the Graduate Diploma in Law and the Legal Practice Course. This leads directly to what I'm sure is an important question for you: what can you expect to earn. We offer competitive starting salaries for new associates. Associates also receive a year-end bonus which depends on the firm's profitability**. In addition to the salary and bonus we also provide medical insurance.

Now let's move on to what we expect in return. As I mentioned at the beginning of my talk, we are committed to*** providing the highest quality service to our clients. As you understand we can provide it only by hiring lawyers with the same level of commitment. You may have to work long hours and you may not have all your weekends free and the work is really demanding. However for the graduate student ready to take this challenge the rewards are great indeed.

In conclusion, I'd like to say that Somerville LLP is growing, independent, commercial practice. Our Graduate Recruitment Programme includes excellent benefits for students prepared to commit themselves fully. And we offer you the opportunity to work in those areas of law that interest you most.

Ok, that all I wanted to say today. I'd be very happy to answer any questions you have.

Notes:

1. associate lawyer – юрист, работающий в юридической фирме (не является партнером)
2. firm's profitability – прибыльность, доходность, рентабельность компании
3. to be committed to doing smth. – быть преданным, приверженным чему-либо

11. Ответьте на вопросы:

1. Is the style of the presentation formal or informal? Why do you think so? Prove your point of view.
2. How does the speaker maintain the contact with the audience?
3. How does the speaker come from one point of the presentation to another?

12. Заполните таблицу предложениями из презентации так, как это показано в примере.

Part of the presentation	Phrases
Greet the audience	1. <i>Good morning and thanks for coming along.</i> <hr/>

Introduce yourself	2. _____
Introduce the topic	3. _____
Set the rules	4. _____
Tell a short personal story	5. _____
Give a plan of the presentation	6. _____
Come from one point to another	7. _____
Finish the presentation	8. _____

13. Прочитайте и переведите фразы, которые часто используются в презентациях. Дополните этими фразами таблицу.

1. As you probably know, my name is...
2. Before I finish, let me go through the main points once again.
3. First of all let me thank you for being here today.
4. You know I was reading a newspaper the other day when I came across a very interesting fact.
5. Now, I'll be happy to answer any questions you may have.
6. As you can see on the screen, our topic today is...

7. I've mentioned the basic facts about the system of law and now it's time to turn to the sources which as you may remember is the next point of my presentation.
8. As you know, I've been asked to talk to you about...
9. I appreciate, you've found the time to come here.
10. So, let me start by asking you a question.
11. Are there any more questions?
12. Thank you for your attention and you are welcome to ask questions.
13. I'll answer all your questions at the end of my presentation.
14. If you look at the next slide you'll see...
15. Well, this brings me to the end of my presentation.
16. That's all about the sources and now let's have a look at the next slide which presents....
17. This leads me to my next point...
18. So, to sum everything up, I'd like to remind you that...
19. Please, feel free to interrupt me with your questions.
20. It gives me great pleasure to speak about this problem today.

14. Выберите одну из наиболее интересных для Вас отраслей права. Воспользуйтесь Интернет-ресурсами и подготовьте ее презентацию по предложенному ниже плану.

- The sphere of application
- The main sources
- The most interesting facts or examples of curious cases.

UNIT 5. TEST YOURSELF

1. Прочитайте текст и вставьте пропущенные слова.

The study of law distinguishes between ___1___ and ___2___, but in legal practice in the UK the distinction between civil law and criminal law is more important to practicing lawyers. Public law relates to ___3___ and is concerned with laws which govern processes in local and national government conflicts between the individual and the state. Private law is concerned with ___4___ between individuals and corporations, and includes family law, contract law, property law, etc.

Criminal law deals with certain forms of conduct for which the state reserves ___5___, for example murder or theft. The state prosecutes ___6___. Civil law concerns relationships between private persons, their rights and duties. It also deals with the conduct which may give rise to ___7___ by a legal person for compensation or injunction. When it comes to prosecution under the laws of the country it's common to speak about criminal offence but civil wrongs.

Criminal and civil proceedings are usually very different. In criminal proceeding a prosecutor prosecutes ___8___. If the verdict is "guilty", the defendant is convicted. He will have a criminal record for ___9___ and will be punished by one of a variety of punishments ranging from ___10___ to a fine, which is paid to a court. If the defendant is found "not guilty", he is acquitted and allowed to leave court without punishment.

In civil cases a claimant sues a defendant or brings a claim against him. The proceeding may result in ___11___ for the claimant, which means that the defendant is found liable and the judge may order the defendant to pay damages.

judgment; the crime; punishment; the state; the offender; public law; a defendant; the relationships; private law; life imprisonment; a claim

2. Озаглавьте текст.

5. The types of classification.
6. Classification of law in the UK.
7. Criminal and Civil Law.
8. Criminal and Civil Procedure.

3. Напишите небольшое эссе (100слов), об особенностях классификации права в Великобритании.

4. Переведите слова из текста на английский язык, найдите и обведите их на буквенной карте.

юрист, убийство, кража, обязанности, судебное предписание, штраф, оправдать, истец, компенсация ущерба, суд.

c	o	p	k	y	t	i	r	u	t	a	m	a	q	u	i	t	l	e	l	r
u	y	u	t	a	l	q	x	r	p	w	u	p	v	j	k	d	o	z	n	u
s	h	i	n	y	a	l	a	e	c	e	l	t	a	b	l	m	a	f	y	r
c	w	l	s	t	w	e	v	b	t	c	i	r	t	s	e	r	f	i	n	e
l	p	p	x	l	y	n	k	i	a	t	e	u	u	t	s	n	k	c	l	d
a	q	v	g	a	e	p	k	r	t	f	n	o	b	o	a	f	r	g	b	r
i	e	c	l	n	r	u	i	c	f	u	n	c	s	b	r	h	s	h	y	u
m	i	i	g	e	w	c	y	s	e	m	a	e	d	l	a	w	r	a	i	m
a	u	t	i	n	j	u	n	c	t	i	o	n	b	n	q	m	z	d	o	l
n	d	i	x	o	s	t	e	d	s	a	o	a	l	b	a	i	d	n	t	u
t	f	e	h	t	b	e	f	a	m	i	l	y	u	p	p	l	y	r	a	b
l	s	e	g	e	x	d	a	m	a	g	e	s	o	c	i	e	t	y	g	d
u	j	n	h	i	m	p	e	r	f	e	c	t	n	t	a	x	g	t	s	l
c	b	v	j	m	a	r	d	q	m	h	p	c	d	e	d	u	t	i	e	s

5. Закончите предложения.

1. Works of authorship include _____
 - a) inventions
 - b) technical solutions
 - c) architectural works
2. _____ cannot be patented.
 - a) technological solutions
 - b) mathematical and scientific theories
 - c) inventions

3. A trademark is _____
- the name of the business or company
 - the name referring to products/services
 - the name of the artistic work
4. The international copyright symbol is _____
- ©
 - ®
 - TM
5. It is necessary to register _____
- copyright
 - patents
 - trademarks
6. The symbol SM means that _____
- a trademark has not been registered
 - a trademark or service mark has been legally registered
 - a service mark has not been registered
7. Copyright law is aimed at _____
- preventing people from copying
 - ensuring payments for copying
 - ensuring the technological progress.

GLOSSARY

1. binding – обязательный для исполнению, имеющий обязательную силу, обязывающий, связующий

binding contract – контракт (договор), имеющий обязательную силу
 final and binding to the parties – окончательный и обязательный для обеих сторон
 legally binding – юридически обязательный

2. bring – приносить, приводить, доставлять, вводить

~ an action – подать иск
 ~ a case before a court – возбудить судебное дело, подать в суд
 ~ charges – выдвигать обвинения
 ~ evidence – предъявлять доказательства
 ~ to justice – отдавать в руки правосудия
 ~ a prosecution – возбудить уголовное преследование
 ~ to trial – привлекать к суду, придавать суду

3. damage – ущерб, убыток, вред; причинять ущерб, повреждать damages – компенсация за понесенные убытки

~ to property – имущественный, материальный ущерб
 civil damages – взыскание убытков в гражданско-правовом порядке
 money damages – компенсация материальных убытков в денежном эквиваленте
 patent damage – ущерб от нарушения прав патентообладателя

4. domestic – домашний, семейный, внутренний, внутригосударственный

~ law – внутригосударственное (национальное) право
 ~ policy – внутренняя политика

5. enforce – принудительно применять, обеспечивать соблюдение, исполнение

~ a law – обеспечивать соблюдение закона
 ~ a rule – применять правовую норму
 ~ judgment – приводить в исполнение судебное решение

6. international – международный, межгосударственный

~ agreement – международное соглашение

~ law – международное право

~ obligations – международные обязательства

~ treaty – международный (межгосударственный) договор

7. procedure – процедура, порядок, процесс

administrative ~ - административная процедура, административный процесс

appeal (appellate) ~ - производство по апелляции

civil ~ - гражданский процесс, гражданское судопроизводство

complicated ~ - сложная процедура

court ~ - судопроизводство

criminal ~ - уголовный процесс, уголовное судопроизводство

judicial ~ - судебная процедура, правила, порядок судопроизводства

legal ~ - судопроизводство

legislative ~ - законодательная процедура

trial ~ - процедура рассмотрения дела по существу

procedural – процессуальный

~ law – процессуальное право

~ legislation – процессуальное законодательство

~ amendment – поправка процессуального или процессуально-правового характера

8. prosecute – преследовать по закону, преследовать в судебном порядке, поддерживать обвинение

~ a case – вести судебное дело, поддерживать обвинение

~ a crime – преследовать за совершение преступления, обвинять в совершении преступления

~ a criminal – преследовать (в уголовном порядке) преступника

~ an offender – преследовать (в уголовном порядке) преступника

prosecution – обвинение

prosecutor - прокурор

prosecuting barrister – прокурор, сторона обвинения

9. prove – доказывать

~ a case – доказывать дело (версию)

~ guilt – доказывать вину (виновность)

~ guilt beyond reasonable doubt – доказать вину при отсутствии обоснованного сомнения

~ innocence – доказать невиновность

~ the case “on the balance of probabilities” - доказать дело на отношении вероятностей

10. precedent – прецедент; предшествующий, предварительный

~ law – прецедентное право (англо-саксонская система права)

binding ~ - прецедент, имеющий обязательную силу

judicial ~ судебный прецедент

follow the precedent - следовать прецеденту (ранее принятому судебному решению суда вы-
сокой инстанции)

11. sue – предъявлять иск, обращаться в суд, выступать в качестве истца

sue and be sued – подавать иск и отвечать по искам

suit – иск, судебная тяжба, судебное дело

civil suit – гражданский иск

12. wrong – правонарушение, вред; причинять вред; неправильный

~ against an individual – причинение вреда частному лицу

~ against the public – причинение вреда обществу

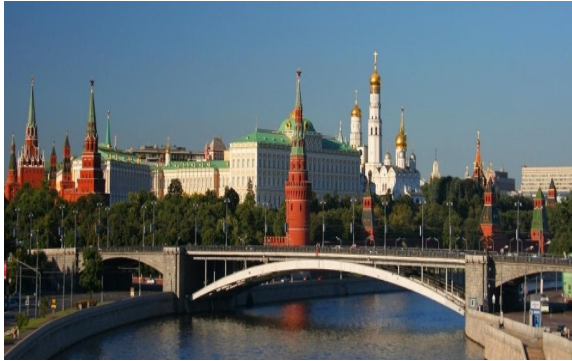
civil ~ - гражданское правонарушение

criminal ~ уголовное правонарушение, преступление

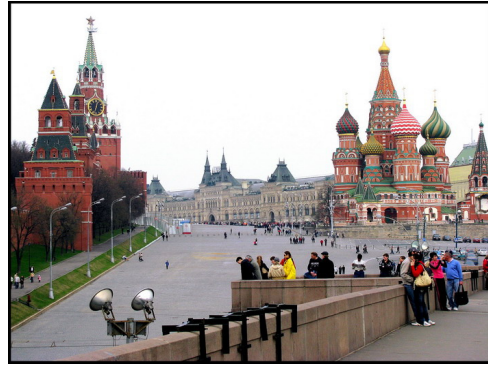
MODULE 7

LAW OF RUSSIA

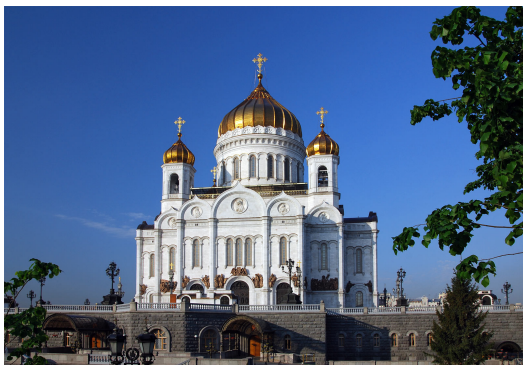
UNIT 1. TRAVELLING AND SIGHTS.



The Kremlin



Red Square



The Cathedral of Christ the Savior



The State Tretyakov Gallery

1. Посмотрите на фотографии ответьте на вопросы.

1. Do you like travelling?
2. Do people travel much nowadays?
3. Why do people travel?
4. How can people travel?
5. Is Russia attractive for foreigners? Why?
6. What is the capital of Russia?
7. What famous sights of Moscow do you know?
8. What do you know about the history of Moscow?

2. Прочитайте слова и словосочетания, которые помогут Вам описать достопримечательности Москвы, и переведите их на русский язык. Составьте с ними предложения.

Russian customs and traditions, ancient architecture, Russian orthodox cathedrals, churches and monasteries, icon painting, the Bell Tower of Ivan the Great, the State Kremlin Palace, the Tsar Cannon and the Tsar Bell, old mansions and monuments, a huge gilded dome, redbrick walls, museums.

3. Прочитайте диалог.

- Is it your first visit to Moscow?
- Yes, and unfortunately I haven't got much time.
- So what are you going to do while you are here?
- Well, I don't know much about Moscow, you know. Just the Kremlin and Red Square.
- You've just got two days, haven't you? You are going to be pretty busy if you want to see all the sights.
- I'm planning to start early tomorrow morning. What should I do first?
- I think you should start with the Kremlin. The Kremlin is in the center of Moscow. It is an outstanding historical and architectural monument that serves as a symbol for the whole Russia. You have to do that.
- It sounds great. I'll definitely do that. Tell me where Red Square is.
- It is located in front of the Kremlin's western wall. The square is fenced in the State Historical Museum building, the GUM building, and St. Basil Cathedral. For many centuries Red Square has served as the place for important historical events. Red Square was founded at the end of the 15th century.
- What else do you recommend?
- Well, it depends on what you like - art, shopping, theatre?
- Well, not shopping particularly. But I'd like to see an art gallery or two.
- Oh, then you must go to the State Tretyakov Gallery. It is the most important storehouse of Russian art in the world. It is renowned for its collection of famous Russian icons and masterpieces by Russia's artistic geniuses, including Repin, Vrubel, Kandinsky, Malevich and others. It is situated on two territories, separated from each other by several city districts. It gives the opportunity to represent the whole history of Russian art from the ancient period to our contemporaries.
- Right.

4. Работа в парах. По образцу вышеприведенного диалога составьте свои диалоги о других достопримечательностях Москвы.

5. Прочитайте предложения. Подчеркните неличные формы глаголов. Определите, какую функцию в предложении они выполняют. Переведите предложения на русский язык.

1. 'Kremlin' is actually the term given for the fortified stronghold of any city, and many other kremlins exist in large towns throughout Russia and acted as seats of power for local rulers.
2. Italian architects were brought in to build new fortified walls and a number of cathedrals - including the Cathedral of the Assumption.
3. Constructed from the 15th century right up to the 20th, you will find a number of different architectural styles in these edifices.
4. Unfortunately the government buildings and palaces can only be seen from the outside, but several hours can still be spent touring the site, admiring the various cathedral interiors and soaking up a profound sense of history.
5. The Cathedral of the Archangel was the burial place of the Tsars until 1712 when the capital was moved to St. Petersburg. Forty-six tombs are found in this cathedral, including those of Ivan the Terrible and his young son Dmitry.

6. The Granovitaya Chamber designed by Marco Fryazin and Pietro Antonio Solari in 1487-1491, served as a gala throne hall of Ivan III.
7. Moscow captured by French troops in 1812 was looted and burnt, and the Kremlin was badly damaged.
8. The complex consisted of the Great Kremlin Palace, constructed on the site of the Winter Palace, the building of Apartments and the new Arsenal building that was more solemn than the previous one.

6. Выступите в качестве переводчика.

Johnny Manglani is the owner and president of Uomo Collezioni. In 1998 he started developing a network of multi-brand boutiques of luxury menswear under the trade name Uomo Collezioni. Today, Uomo Collezioni network consists of six boutiques in Moscow and one in Saint-Petersburg.

Interviewer: Господин Маглиани, когда и зачем Вы посетили Москву в первый раз?

J. M.: In 1983. Then I came to the capital of the Soviet Union to carry out a market research on my own.

Interviewer: Каковы были Ваши первые впечатления от города? Не могли бы Вы описать их в двух словах.

J.M.: When I came in Moscow for the first time the city seemed dark to me — that is the feeling I had then as I remember it. As for now, the city has greatly changed.

Interviewer: Какие русские традиции Вы используете в быту? (*in your household*)

J.M.: Bathhouse, strong friendship and traditional Russian meals, e.g. beetroot and cabbage soup (*borsch*).

Interviewer: А у Вас есть русские друзья?

J.M.: Russians are very sincere: they either understand you with all their heart and become your friends, or they reject you without making any pretence of being interested in you. I have a lot of friends in Moscow and in Russia, I have a wonderful family, I love local culture and ethnic cuisine.

Interviewer: С какими трудностями Вы столкнулись в Москве?

J.M.: The life itself is a challenge and if you take difficulties as a part of your life, then you can easily accept and overcome them.

Interviewer: С какой проблемой Вам не удалось справиться в Москве?

J.M.: Road traffic management. It's very difficult to drive around Moscow.

Interviewer: И наконец, закончите фразу «Я люблю Москву за...»

J.M.: I love Moscow for its being a very dynamic city. It always makes me want to move on!

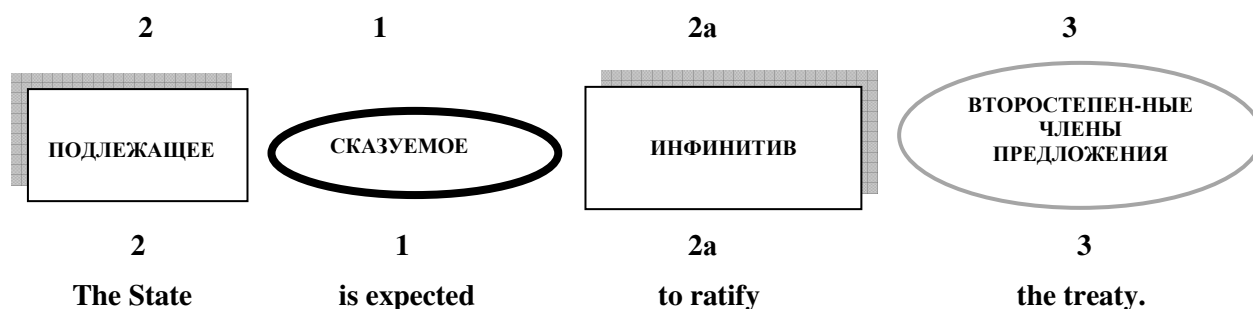
7. Раскройте скобки и поставьте правильную неличную форму глагола.

1. It's possible to travel all over the city inexpensively and easily (used, using) the metro.

- (Decorated, decorating) in fine materials by master craftsmen, the Moscow metro stations are a unique and impressive aspect to Russia's transit system.
- With Red Square and the Kremlin (formed, forming) the very centre, the innermost ring road is the Boulevard Ring (*Bulvarnoye Koltso*), (built, building) in the 1820s.
- The recently (constructed, constructing) Third Ring is not much use for tourists but is a heavily (used, using) motorway which absorbs a bit of Moscow's traffic.
- Tverskaya Street is lined with cafes, restaurants, coffeehouses, a couple of theaters, and several hotels, (included, including) two locations of the Marriott Hotel.
- Moscow remains the educational center of Russia. There are 222 institutes of higher education, (included, including) 60 state universities & 90 colleges.

UNIT 2. STATE INSIGNIA

Повторение грамматики: Complex Subject. Конструкция «Сложное подлежащее».



Переводится придаточным дополнительным предложением с союзом „что“ (реже „чтобы“), причем подлежащим придаточного предложения становится при переводе подлежащее всего предложения, а сказуемое соответствует инфинитиву этого оборота.

1	2	2a	3
Ожидают,	что государство	ратифицирует	договор.

Инфинитив в обороте употребляется во всех формах (to V, to be + V3ф - одновременное, to be + Ving – длительное; **to have + V3ф** – предшествующее действие относительно действия, выраженного сказуемым предложением, и всегда переводится глаголом в **прошедшем** времени).

1. Прочитайте предложения. Подчеркните конструкцию Complex Subject. Переведите предложения на русский язык, пользуясь данной выше схемой. Помните, что время действия всегда определяется сказуемым английского предложения.

- Moscow is known to be the capital of the Russian Federation.
- The three-colour flag is considered to have become the state flag of Russia in 1993.
- From the middle of the 19th century the tricolor was meant to symbolize the unity of the three East Slavonic nations.
- The white stripe was meant to symbolize freedom and independence.
- The red colour was thought to be a symbol of power and sovereignty.
- The three crowns originally were thought to symbolize the three great khanates conquered by Russia.

7. The national anthem of the Russian Federation is known to have been composed by Alexander Alexandrov on lyrics of Sergey Mikhalkov.
8. The new anthem is known to have been adopted in late 2000.
9. The new anthem is reported to be liked by 81% of the population.

2. Прочитайте предложения. Подчеркните конструкцию Complex Subject. Переведите предложения на русский язык, пользуясь схемой данной выше. Помните, что сказуемые английских предложений, выраженные глаголами: appear (оказываться), seem (казаться), happen (случаться), prove (оказаться), всегда стоят в активном залоге и переводятся на русский язык вводными словами, соответственно: *по-видимому, кажется, оказывается*.

1. This classification appears to be similar to that used by foreign jurists.
2. She seems to be preparing a report about the state insignia of the Russian Federation.
3. The results presented here appear to support the views described above.
4. This politician seems to be losing his popularity.
5. These ideas proved to be ignored by society.
6. The anthem happened to be amended again in 1977 to introduce new lyrics written by S. Mikhalkov.
7. With more international business and travel and a growing awareness that many socio-economic and environment problems need global solutions, the future of the world of law appears to be one of internationalization.

3. Прочитайте предложения. Подчеркните конструкцию Complex Subject. Переведите предложения на русский язык, пользуясь данной выше схемой. Помните, что сказуемые английских предложений, выраженные словосочетаниями to be likely и to be unlikely переводятся на русский язык словами *вероятно и маловероятно*.

1. The Cathedral of Christ the Savior is likely to be the highest Orthodox cathedral in the world.
2. The Tretyakov Gallery is likely to have the largest collection of icons.
3. The situation with road traffic in Moscow is unlikely to be better in the near future.
4. The Moscow underground is likely to be one of the most beautiful in the world.
5. This law is unlikely to be passed.

4. Перепишите предложения, используя конструкцию Complex Subject.

1. It is known that Peter the Great was proclaimed tsar in April 1682.
2. It is said that Peter the Great was one of enormous strength and energy.
3. It is supposed that Peter the Great was seven feet tall and powerfully built.
4. It appeared that he had been in a constant state of restless activity, taking on himself tasks normally done by several men.
5. It is certain that Peter the Great had some remarkable qualities of mind and character in addition to his extraordinary physical attributes.
6. It seemed that Peter the Great had participated personally in all kinds of state affairs: diplomacy, administration, justice, commerce, industry, education, etc.

5. Прочитайте текст и ответьте на вопросы.

1. When did the white-blue-red flag first appear in Russia?
2. What did it symbolize in the 18th century?
3. What was tricolor meant to symbolize in the 19th century?
4. When did Alexander II issue an order proclaiming a black-yellow-white banner?
5. How were colours interpreted during the last Russian Emperor's reign?
6. What flag did the Russian Federation have after the October Revolution of 1917?
7. When did the old three-colour flag return as the national flag of the Russian Federation?

TEXT

STATE FLAG OF THE RUSSIAN FEDERATION



The white-blue-red flag with three equal horizontal stripes was approved by Peter the Great, who on January 20, 1705 ordered to hoist it on all Russian trade vessels sailing on Moskva, Volga and Dvina rivers.

The arrangement of the stripes has several interpretations. The white, blue and red, regarded from top to bottom, represented the three cardinal virtues of Faith, Hope and Love. At the same time, according to the Russian tradition, white colour meant nobility, blue – honesty, red – courage and love.

From the middle of the XIX century the three-colour flag gradually acquired the functions of the national symbol. Thus, in 1856, during the Paris Congress, while the peace treaty to end the Crimea war was being negotiated, the white-blue-red banner was used as the national flag of the Russian Empire. At that time the tricolor was meant to symbolize the unity of the three East Slavonic nations — Russian, Ukrainian and Byelorussian.

However, on June 11, 1858 Alexander II issued an order proclaiming a black-yellow-white banner to be the Russian national flag.

The matter was reconsidered by Alexander III, who in 1883 ordered, that “exclusively the Russian flag is to be used on ceremonial occasions”. And in 1896, on the eve of the coronation of the last Russian Emperor Nikolai II the white-blue-red banner gained an official status of the state flag. The white stripe was meant to symbolize freedom and independence, sky-blue was the colour of Holy Mother that protected Russia, and the red colour was thought to be a symbol of power and sovereignty.

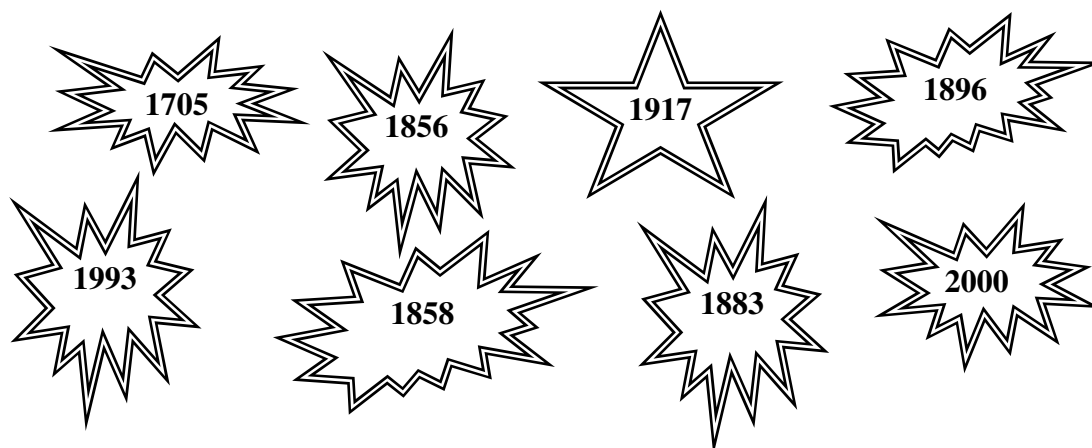
After the October Revolution of 1917 the Soviet Red Banner replaced the Russian flag. The Russian Federation, as part of the USSR, had its own flag, similar to the Soviet flag – red with a thin blue vertical stripe, and a gold star, hammer and sickle in the upper left corner.

76 years later the old three-colour flag returned as the national flag of the Russian Federation. At first it was adopted by the Presidential Decree of December 11, 1993. Later the national flag was officially approved by the Federal Law of December 25, 2000.

6. Определите, о каких словах из текста идет речь.

1. _____ is a sign that shows what official or military rank someone has, or which group or organization he belongs to.
2. _____ is a narrow band of different colour or material.
3. _____ means to raise, lift or pull up something especially using ropes.
4. _____ means very important or basic.
5. _____ is an attempt to explain the reason for an event, a result, somebody's action.
6. _____ is the ability to be brave when you are in danger, in pain or in difficult situation.
7. _____ is a formal agreement between two or more countries or governments.
8. _____ means complete freedom and power.
9. _____ is a tool with blade in the shape of a hook used for cutting wheat or long grass.
10. _____ is a tool with a heavy metal part on a long handle used for hitting nails into wood.

7. Пользуясь текстом, скажите, как связаны нижеприведенные даты с историей создания российского флага.



8. Согласитесь или опровергните утверждения. Начните свой ответ с одной из речевых моделей.

Models:

I'm of the same opinion - Я того же мнения.

I quite agree here - Я совершенно с этим согласен.

Far from it - Совсем не так!

On the contrary - Наоборот (напротив).

I object to it - Я возражаю.

1. The white-blue-red flag with three equal horizontal stripes was approved by Catherine the Great in 1649.
2. The arrangement of the stripes has five interpretations.
3. In the 16th century, under Ivan the Terrible, the three colour flag acquired the function of the national symbol.
4. The white-blue-red banner was used as the national symbol of the Russian Empire.
5. After the victory over Napoleon Alexander I issued an order proclaiming a black-yellow-white banner to be the Russian national flag.
6. On the eve of the coronation of the Russian Emperor Nikolai II the white-blue-red banner gained an official status of the state flag.
7. The white stripe was meant to symbolize freedom and independence, sky-blue was the colour of Holy Mother that protected Russia, and the red colour was thought to be a symbol of power and sovereignty.
8. After 1917 the Russian Federation, as part of the USSR, had its own flag, similar to the Soviet flag.
9. The national flag was officially approved by the Federal Law of December 26, 2001.

9. Прочитайте текст и подчеркните предложения с конструкцией Complex Subject. Переведите эти предложения на русский язык.

In 1766 Catherine the Great called Legislative Commission. The aim of the Commission was reported to codify and modernize Russian law and life. Although she had no desire to grant her subjects a constitution, 'the Nakaz' or 'Instruction', which she prepared for Legislative Commission seemed to be a liberal document. Catherine the Great was known to have been inspired by the jurist Enlightenment, particularly by Montesquieu and Baccaria. She followed Baccaria's treatise "Crime and Punishment", thus "the 'Instruction' denounced capital punishment as well as torture, argued for crime prevention". The 'Instruction' is sure to have produced a strong impression in a number of European countries and it was banned in France.

10. Переведите предложения на английский язык, используя конструкцию Complex Subject.

1. Считается, что допетровская Россия была малоизвестным азиатским государством.
2. Говорят, что просвещение медленно распространялось среди детей знати. Поэтому Петр I издал указ, по которому дети дворян должны были учиться грамоте и математике, а тем, кто не хотел учиться, запрещалось жениться.
3. Утверждается, что Петр I сделал огромный вклад в развитие России, хотя его реформы были зачастую жестокими.
4. Известно, что Петр I издал указ об учреждении Академии наук в 1724 году.
5. Говорят, что Петр I очень ценил добродетели: благородство, честность и мужество.

11. Переведите слова на английский язык, найдите и обведите их на буквенной карте.

Поднимать (парус, флаг), полоска, главный, толкование, добродетель, знамя, благородство, честность, мужество, договор, формальный.

с	о	п	к	у	т	и	р	у	т	а	н	о	б	и	л	и	т	у	л	р
у	у	у	т	т	с	q	x	r	r	w	u	p	c	j	k	v	o	z	n	u
s	h	i	n	s	a	l	a	e	e	e	l	h	a	b	l	e	a	f	y	l
t	o	l	s	e	a	e	v	b	a	c	i	e	r	s	e	r	k	a	p	e
o	i	p	x	n	a	n	k	i	t	t	e	n	d	t	s	t	k	c	l	s
m	s	v	g	o	n	p	k	r	y	f	n	o	i	o	a	u	r	g	b	o
g	t	c	l	h	q	u	i	c	f	u	n	m	a	c	r	e	s	h	y	i
n	i	i	a	t	e	r	p	r	b	t	n	i	l	e	a	w	r	a	i	l
i	u	t	o	p	n	o	i	t	a	t	e	r	p	r	e	t	n	i	o	s
t	d	i	x	o	s	t	e	d	n	a	o	a	l	e	a	i	d	n	t	t
a	i	n	s	i	g	n	i	a	n	i	l	y	u	m	p	l	y	r	a	r
l	s	e	g	e	x	c	e	r	e	m	o	n	i	a	l	e	t	y	g	i
u	j	n	h	i	m	p	e	r	r	e	c	t	n	t	a	x	g	t	s	p
c	o	u	r	a	g	e	d	q	m	h	p	c	d	e	j	n	b	b	l	e

12. Прочитайте текст и ответьте на вопросы.

1. When did the state emblem of two-headed eagle first appear in Russia?
2. How long did the two-headed eagle remain the state emblem of the Russian State?
3. When was the ancient emblem replaced?
4. When did the two-headed eagle regain its status of the national emblem?
5. What is the most common interpretation of the two-headed eagle?
6. What does St. George symbolize?

TEXT

STATE EMBLEM OF THE RUSSIAN FEDERATION



As the state emblem a two-headed eagle first appeared in Russia in the XV century (at that time - the Kingdom of Moscovia). It came from Byzantium with Sophia Paleolog, the niece of Constantine XI, the last Byzantine Emperor, who became the wife of Ivan III, the Grand Duke of Moscow.

Going through some changes the two-headed eagle remained the national emblem of the Russian State for more than four hundred years. After the October Revolution of 1917 it was replaced by the emblem of Soviet Russia consisting of a hammer-and-sickle against the red background surrounded with sunrays and framed in golden spikes of wheat, and the inscriptions “Soviet Russia” and “Proletarians of All Countries, Unite!”.

The two-headed eagle regained its status of the national emblem in accordance with the Presidential Decree of November 30, 1993. It was officially adopted by the Federal Law of December 25, 2000.

There are different interpretations of this symbol. The most common version says that two heads of the eagle symbolize two parts of the world (Europe and Asia) on which Russia is situated, and their equal importance for the country.

The sceptre (originally – mace, a striking weapon) symbolizes defence of sovereignty.

The orb (the sphere) is a symbol of unity, integrity of the state.

The red (purple) colour has traditionally been the Emperor’s colour, the gold colour symbolized eternity.

The three crowns (the third crown appeared on the emblem in 1625) originally were thought to symbolize the three great khanates conquered by Russia – the Kazan, Astrakhan and Siberian. Then they were interpreted as a symbol of the Holy Trinity and later – as the unity of three nations – Russian, Ukrainian and Byelorussian.

The shield with a knight portrayed on the eagle’s chest is the ancient emblem of Moscow. Since 1730, the knight has been called Saint George, Bearer of Victory, striking the Serpent, symbolizing the fight of Good against Evil. At the same time this symbol points out that Moscow is the heart of Russia.

13. Закончите предложения в соответствии с содержанием текста.

1. The two-headed eagle first appeared in Russia in _____.
2. The two-headed eagle came from Byzantium with _____.
3. The two-headed eagle remained the national emblem of the Russian State for _____.
4. The emblem of Soviet Russia consisted of _____.
5. Two heads of the eagle symbolize _____.
6. The sceptre symbolizes _____.
7. The orb (the sphere) is a symbol of _____.
8. The three crowns originally symbolized _____.
9. The shield with a knight portrayed on the eagle's chest is _____.
10. The knight has been called Saint George _____.

14. Согласитесь или опровергните утверждения.

1. Sophia Paleolog was the daughter the last Byzantine Emperor.
2. The Grand Duke of Moscow was Ivan IV.
3. As a state emblem the two-headed eagle has never changed.
4. The two-headed eagle regained its status of the national emblem in accordance with the Presidential Decree of November 30, 1993.
5. There are different interpretations of this emblem.
6. The two-headed eagle points out that Moscow is the heart of Russia.

15. Переведите предложения на английский язык.

1. Известно, что первое упоминание о Москве относится к 1147 году.
2. Вероятно, название Московия произошло от названия города Москва.
3. При князе Федоре Москва считалась одним из самых больших городов Европы.
4. При Иване Грозном Москва, как сообщалось в хрониках, стала столицей государства Московия.
5. В 1712 году Петр I, как известно, перенес столицу в Санкт Петербург, но Москва оставалась культурным и экономическим центром России.
6. С середины 19 века до начала 20 века население Москвы, как сообщалось, возросло с 350 000 до 1,4 миллиона человек.
7. В 1918 году, как известно, советское правительство перенесло столицу из Петрограда в Москву.

16. Работа в парах. Прочитайте слова российского гимна на английском и русском языках. Закрывая попеременно колонки, проверьте друг у друга перевод предложений. Выучите гимн наизусть.

THE NATIONAL ANTHEM OF THE RUSSIAN FEDERATION

Russia is our sacred power,
Russia is our beloved country.
A mighty will, a great glory
Are yours forever for all time!
Chorus: Be glorious, our free Motherland

Ancient union of brotherly peoples
Ancestor given wisdom of the people!
Be glorious, country!

Россия — священная наша держава,
Россия — любимая наша страна.
Могучая воля, великая слава —
Твоё достоянье на все времена!
Припев: Славься, Отечество наше сво-
бодное,
Братских народов союз вековой,
Предками данная мудрость народная!
Славься, страна!

We are proud of you!
 From the southern seas to the polar region
 Lie our forests and our fields.
 You are one in the world!
 You are one of a kind,
 Native land protected by God!

Chorus

Wide spaces for dreams and for lives

Are open to us by the coming years.
 Our faith in our Motherland gives us
 strength.

So it was, so it is, and so it will always be!

Chorus

Мы гордимся тобой!

От южных морей до полярного края
 Раскинулись наши леса и поля.

Одна ты на свете!

Одна ты такая

Хранимая Богом родная земля!

Припев

Широкий простор для мечты и для жизни
 Грядущие нам открывают года.

Нам силу даёт наша верность Отчизне.

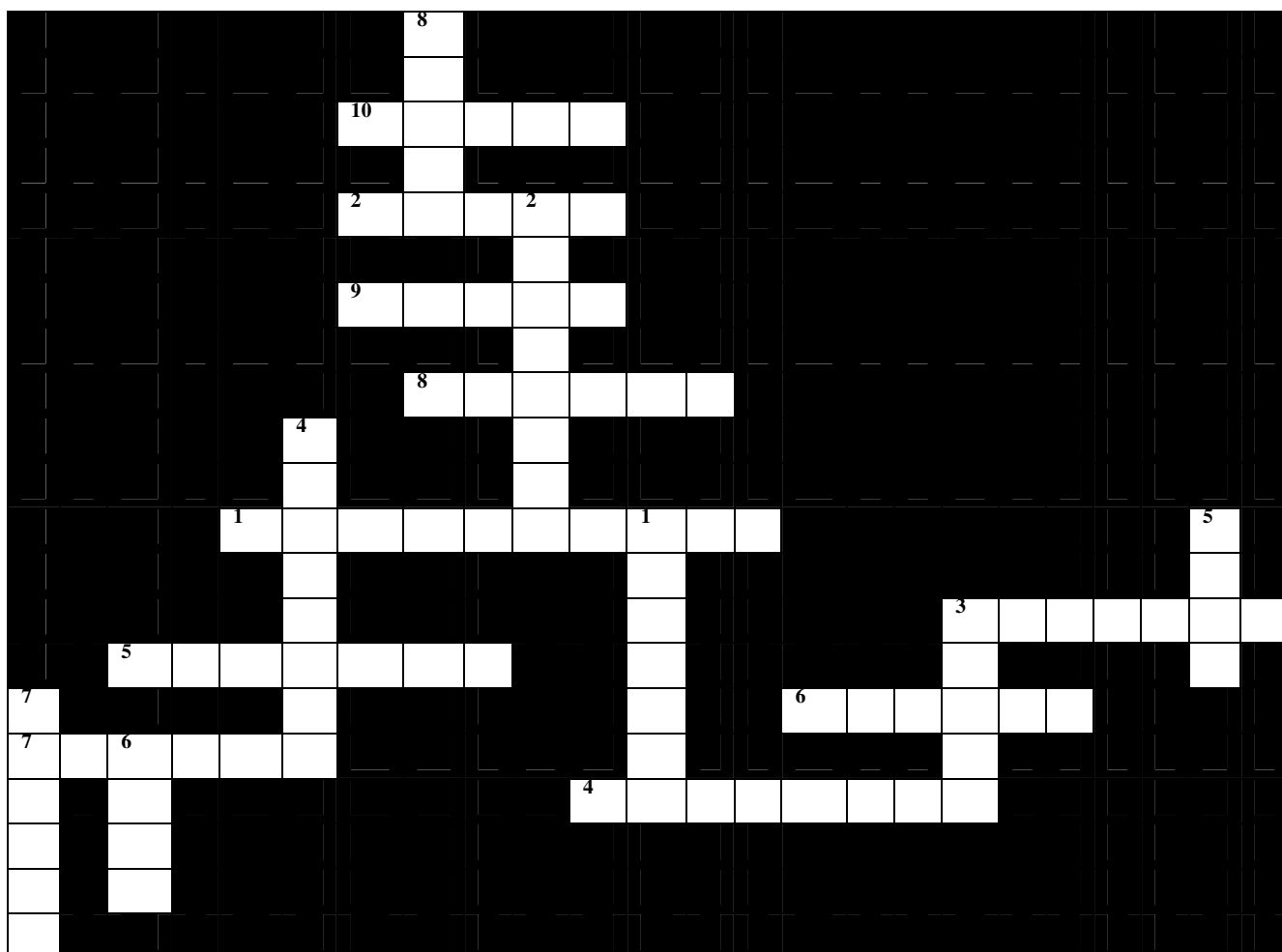
Так было, так есть и так будет всегда!

Припев

17. Разгадайте кроссворд.

По горизонтали: 1. отчизна; 2. мечта; 3. навсегда; 4. сила; 5. любимый; 6. родной;
 7. всегда; 8. мудрость; 9. простор; 10. слава.

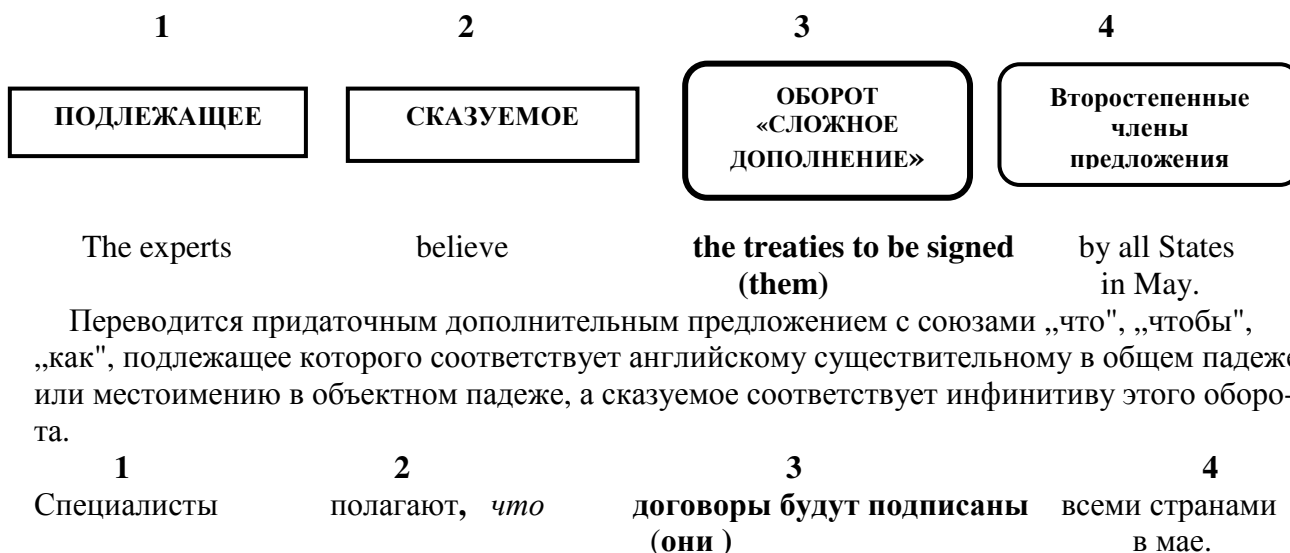
По вертикали: 1. древний; 2. предок; 3. вера; 4. славный; 5. свободный; 6. воля;
 7. священный; 8. полярный.



18. Подготовьте презентацию на тему "Мой любимый город в России".

UNIT 3. STATE SYSTEM OF THE RUSSIAN FEDERATION

Повторение грамматики: Complex Object. Конструкция «Сложное дополнение»



1. Прочитайте предложения. Подчеркните конструкцию Complex Object. Переведите предложения на русский язык, пользуясь данной выше схемой. Помните, что сказуемые английских предложений с конструкцией Complex Object выражены определенной группой глаголов желания или умственного восприятия, после которых инфинитив употребляется с частицей “to”.

2. He considers this question to be of great importance.
3. The president wants this law to be adopted in the near future.
4. He supposed the government to be dissolved in May.
5. They assume the treaty to be easily ratified by the Parliament next month.
6. The Chairman declared the meeting to be opened.
7. Nobody expected him to come.
8. He wanted us to help him.
9. He stated this problem not to have any solution.
10. Every politician would like his citizens to be happy.

2. Прочитайте предложения. Подчеркните конструкцию Complex Object. Переведите предложения на русский язык, пользуясь данной выше схемой. Помните, что сказуемые английских предложений с конструкцией Complex Object выражены определенной группой глаголов физического восприятия, после которых инфинитив употребляется без частицы “to”, а придаточное предложение при переводе на русский язык присоединяется к главному союзом “как”.

1. I hear the bell ring.
2. They heard the engines roar as the plane began moving.

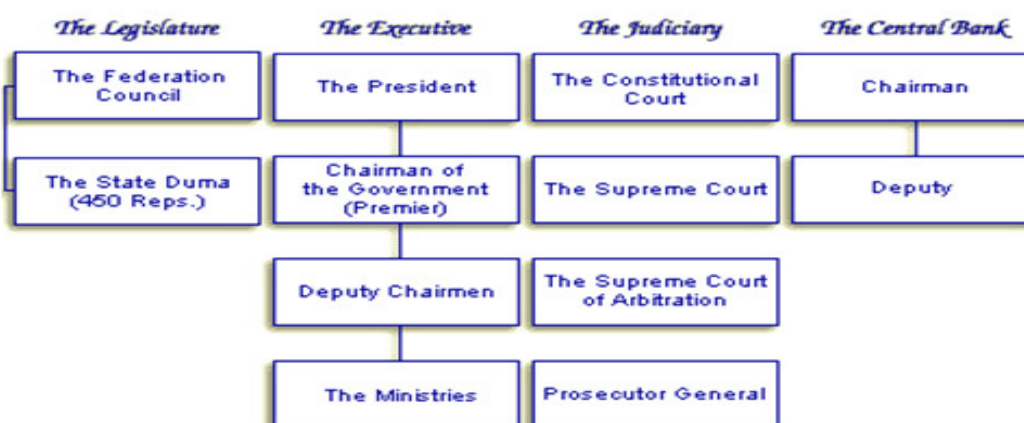
3. Nobody noticed her leave the room
4. John saw the crowd break the line of policemen barring their way.

3. Прочитайте текст и составьте к нему пять специальных вопросов, начинающихся с вопросительных слов: who, what, when, where, how.

The inauguration ceremony started at 11.45 a.m. For the first time in recent years, the presidential motorcade entered the Kremlin through the Savior Gates, which had been shut for cars before. At noon the President walked to the fanfare of trumpets into the St. Andrew Hall of the Great Kremlin Palace. Shortly before, army servicemen dressed in the uniforms of the Russian soldiers of the 1812 Patriotic War had brought the National Flag of the Russian Federation, the Presidential Standard, the Special Copy of the Constitution, and the Presidential Emblem.

Having put his right hand on the Constitution, the President took the oath of service: "In performing my duties as the President of the Russian Federation, I pledge to respect and protect the rights and liberties of every citizen; to observe and protect the Constitution of the Russian Federation; to protect the sovereignty and independence, security and integrity of the state and to serve the people faithfully."

4. Работа в парах. Посмотрите на схему государственного устройства Российской Федерации. Задайте друг другу по пять вопросов. Совместно с партнером подготовьте небольшую презентацию о государственном устройстве РФ.



5. Прочитайте и переведите текст.

TEXT

STATE SYSTEM OF THE RUSSIAN FEDERATION

The Constitution states that Russia shall be a democratic and federal state with a republican form of government based on the rule of law. The people of Russia shall be the only source of power in the Russian Federation. The Constitution proclaims a broad array of civil, political, economic, social, and cultural rights that are guaranteed by the state. Generally, these rights conform to

the international standards as established by the Universal Declaration of Human Rights of 1948, and the International Covenant on Human Rights of 1966.

The Federation consists of eighty-two constituent components. Any matter, which is not defined by the Constitution as an issue of federal or joint concern, is within the exclusive jurisdiction of the constituent component of the federation.

State power is exercised on the basis of its separation by the President of the Russian Federation, the bicameral Federal Assembly (legislature), the Government, and the courts.

The system of government is similar to the mixed presidential and parliamentary regime. The President who is elected by general election for a term of six years is the Head of State, his powers are quite expansive. He appoints and dismisses the Prime Minister and members of the Government, dismisses the Government and dissolves the legislature, and nominates federal judges, justices of the Supreme and Constitutional Courts, Chairman of the central bank, and the Prosecutor General. Being the head of the executive branch, the President may preside over meetings of the Government; however, unlike the American President, he is not considered to be the head of the Government. In legislative area, presidential powers include the right of initiating, signing, promulgating, and vetoing legislation. The legal status of Government corresponds to the Western cabinet structure.

The legislature – the Federal Assembly– is a permanently working body and consists of two separate chambers, the State Duma and the Federation Council, which have different powers and responsibilities. The Federation Council consists of two representatives from each constituent component of the Russian Federation. This chamber is obligated to examine all bills passed by the State Duma on budgetary, tax, and other fiscal issues, as well as issues dealing with war and peace, and with treaty ratification. The Federation Council’s jurisdiction includes the approval of border changes between the components, approval of presidential decrees on introduction of the state of emergency and martial law, usage of the Armed Forces beyond Russia’s territory, call for presidential elections, and removing the president from office by impeachment. The State Duma is the lower chamber, and its main duty is to pass laws, which are then sent to the Federation Council for confirmation. The State Duma consists of 450 members elected by party lists through a proportional electoral system.

6. Соотнесите английские слова и словосочетания из текста с их русскими эквивалентами.

1. federal state	a. двухпалатное Федеральное Собрание
2. republican form of government	b. исключительная компетенция
3. to conform to the international standards	с. избираться всеобщим голосованием на срок
4. the Universal Declaration of Human Rights	d. председательствовать на заседаниях
5. to consist of constituent components	e. федеративное государство
6. exclusive jurisdiction	f. введение чрезвычайного или военного положения
7. bicameral Federal Assembly	g. иметь различные полномочия и обязанности
8. to be elected by general election for a term	h. республиканская форма правления
9. to appoint and dismiss members of the Government	i. состоять из субъектов федерации
10. to dissolve the legislature	j. обнародовать и налагать вето на закон
11. to nominate federal judges and, justices of the Supreme Court	к. Всеобщая Декларация прав человека
12. to preside over meetings	l. распускать парламент
13. to promulgate and veto legislation	м. соответствовать международным стандартам

14. to have different powers and responsibilities	п. назначать и освобождать от должности членов правительства
15. introduction of the state of emergency and martial law	о. назначать федеральных судей и судей Верховного суда

7. Закончите предложения в соответствии с содержанием текста.

1. The Constitution states that Russia _____.
2. The Constitution proclaims _____.
3. The Federation consists of _____.
4. State power is exercised _____.
5. The President is _____.
6. The President's powers are quite expansive: _____.
7. The legislature is _____.
8. The Federation Council consists of _____.
9. The State Duma consists of _____.

8. Согласитесь или опровергните утверждения в соответствии с моделями.

Models: It's true because it conforms to the Constitution.

It's false because the Constitution states that

1. Russia is a democratic and unitary state.
2. The only source of power in the Russian Federation is the President.
3. Civil, political, economic, social, and cultural rights are guaranteed by the state.
4. State power in the Russian Federation is exercised on the basis of its separation by the President, Federal Assembly and the Constitutional court.
5. The President is elected by general election for a term of four years.
6. The Prime Minister is the Head of State.
7. The President dismisses the Government and dissolves the legislature.
8. The President is the head of the Government.
9. The State Duma and the Federal Assembly are two separate chambers of the Federation Council.
10. The State Duma is obligated to examine all bills on budgetary, tax, and other fiscal issues.
11. The Federation Council's jurisdiction includes the approval of border changes between the constituent components.
12. The State Duma is the lower chamber, and its main duty is to pass laws.
13. Nobody can remove the president from office by impeachment.
14. Nobody can approve the usage of the Armed Forces beyond Russia's territory.

9. Работа в парах. Соотнесите английские предложения в правой колонке с соответствующими русскими предложениями из левой колонки. Закрывая попеременно колонки, проверьте друг у друга правильность перевода предложений с английского языка на русский и наоборот.

1. Все равны перед законом и судом. (Статья 19 Конституции РФ).	a. Everyone shall have the right to freedom and personal immunity.
2. Каждый имеет право на жизнь. (Статья 20 Конституции РФ).	b. Everyone shall have the right to the inviolability of private life, personal and family secrets, the protection of honour and good name.
3. Каждый имеет право на свободу и личную неприкосновенность. (Статья 22 Конституции РФ).	c. The right of private property shall be protected by law.

4. Каждый имеет право на неприкосновенность частной жизни, личную и семейную тайну, защиту своей чести и доброго имени. (Статья 23 Конституции РФ).	d. Labour is free. Everyone shall have the right to freely use his labour capabilities, to choose the type of activity and profession.
5. Каждому гарантируется свобода мысли и слова. (Статья 29 Конституции РФ).	e. All people shall be equal before the law and court.
6. Право частной собственности охраняется законом. (Статья 35 Конституции РФ).	f. Everyone shall have the right to education.
7. Труд свободен. Каждый имеет право свободно распоряжаться своими способностями к труду, выбирать род деятельности и профессию. (Статья 37 Конституции РФ).	g. Everyone shall be guaranteed the freedom of literary, artistic, scientific, technical and other types of creative activity, and teaching. Intellectual property shall be protected by law.
8. Каждый имеет право на жилище. Никто не может быть произвольно лишен жилища. (Статья 40 Конституции РФ).	h. Everyone shall have the right to life.
9. Каждый имеет право на образование. (Статья 43 Конституции РФ).	i. Everyone shall have the right to a home. No one may be arbitrarily deprived of his or her home.
10. Каждому гарантируется свобода литературного, художественного, научного, технического и других видов творчества, преподавания. Интеллектуальная собственность охраняется законом. (Статья 44 Конституции РФ).	j. Everyone shall be guaranteed the freedom of ideas and speech.

10. Замените русские слова в скобках английскими эквивалентами из рамки. Переведите текст на русский язык письменно.

1. judicial protection 2. the right to the consideration 3. the right to qualified legal assistance
4. accused of committing a crime (2) 5. according to the rules fixed by the federal law 6. to prove his innocence 7. in favour of the accused

Everyone shall be guaranteed (судебная защита) of his rights and freedoms. No one may be deprived of (права на рассмотрение) of his or her case in that court and by that judge in whose cognizance the given case is according to law. Everyone shall be guaranteed (право на получение квалифицированной юридической помощи). Any person detained, taken into custody, (обвиняемый в совершении преступления), shall have the right to receive assistance of a lawyer (counsel for defence) from the moment of detention, confinement in custody of facing charges accordingly. Everyone (обвиняемый в совершении преступления) shall be considered innocent until his or her guilt is proved (в предусмотренном федеральным законом порядке). The accused shall not be obliged (доказывать свою невиновность). Unremoval doubts about the guilt of the person shall be interpreted (в пользу обвиняемого).

11. Пользуясь планом, напишите небольшое сочинение (12-15 предложений) о Конституции Российской Федерации. Воспользуйтесь информацией из текста и Интернет-ресурсами.

1. The Constitution of the RF was written (follow on with historical reasons).
2. The main features of the Russian Constitution are ...
3. The Constitution recognizes a number of individual rights which include ...
4. The provisions for protecting these rights are ...
5. To sum up ...

12. Переведите предложения на английский язык.

1. Система российского права включает в себя следующие основные отрасли: государственное, административное, финансовое, земельное, гражданское, семейное, трудовое, уголовное, гражданское процессуальное и уголовно-процессуальное и т. п.
2. Считается, что ведущее место в системе права занимает государственное право.
3. Известно, что государственное право именуется конституционным.
4. Нормы государственного права, как предполагается, формулируют начала, которые составляют основу для других отраслей права.
5. Известно, что значительная часть норм государственного права России содержится в Конституции Российской Федерации, в конституциях субъектов федерации, а также в других законодательных актах.
6. Нормы государственного права закрепляют основы конституционного строя, правовое положение личности, систему государственной власти и местного самоуправления, другие вопросы государственного устройства России.
7. В системе права Российской Федерации специализация материальных и процессуальных отраслей имеет всеобщий характер. Как известно, нормы уголовного права применяются в форме уголовного процесса, а гражданский процесс тесно связан с другими материальными отраслями.

UNIT 4. THE JUDICIARY IN RUSSIA

1. Прочитайте и переведите текст.

TEXT

THE JUDICIARY IN RUSSIA

The judiciary consists of three independent parts: regionally based federal courts of general jurisdiction, courts of arbitration assigned to the resolution of economic disputes, and the Constitutional Court with the right of judicial review. The institution of justices of peace was introduced for the resolution of small claims at the local level.

Local courts are established in all administrative units of the Russian Federation and function as courts of first instance and courts of appeals for decisions of justices of peace. These courts make initial decisions in the majority of all criminal and civil cases. Federal district courts build the second level of Russia's judicial system. Their territorial jurisdiction extends to the components of the federation where those courts have been formed. They serve as trial courts in more serious crimes and civil matters, and as appellate courts reviewing local court's judgments. The Supreme Court is the highest judicial body for civil, administrative, criminal, and other cases within the jurisdiction of courts of general jurisdiction. Justices of the Supreme Court are appointed by the Federation Council. The Court has three divisions: civil, criminal, and military, which hear relevant cases. Thirteen specially appointed justices of the Supreme Court comprise the Presidium of the Supreme Court, the highest judicial instance in Russia in regard to cases heard by way of supervision and for newly discovered circumstances. The plenary session of the Supreme Court may issue explanations on questions pertaining to judicial practice, and it may exercise the Court's right of legislative initiative by formulating the relevant proposals for their subsequent submission to the Parliament.

Arbitration courts are a part of the federal judicial system, but separate from regular courts and are aimed at the resolution of commercial and economic disputes. They are organized at the level of constituent components of the Russian Federation, and, despite what the name suggests, their function is to adjudicate, not arbitrate, economic disputes between business entities, and to decide on complaints against organs of state and federal administration whose decisions may affect the conduct of business operations. The internal structure and principles of the arbitration courts are similar to those of the courts of general jurisdiction.

The nineteen-member Constitutional Court decides whether federal laws, presidential and governmental decrees and directives, and regional constitutions and laws comply with federal constitution. The Constitutional Court also resolves jurisdictional disputes between federal and lower level organs of power and may be asked to interpret the federal Constitution. Rulings of the Constitutional Court are binding and final, and do not need to be confirmed by other organs or officials. Acts or their individual provisions, which have been deemed unconstitutional, become invalid.

2. Найдите в тексте английские эквиваленты русских словосочетаний.

1. разрешение экономических споров
2. мировые судьи
3. административно-территориальные единицы
4. рассмотрение дела по существу
5. суды общей юрисдикции
6. высшая судебная инстанция
7. вновь открывшиеся обстоятельства
8. пленарное заседание
9. законодательная инициатива
10. предложения для дальнейшего рассмотрения в парламенте
11. выносить решения по жалобам
12. постановление суда окончательное и обязательное для исполнения

3. Переведите слова и словосочетания из текста на русский язык.

1. judiciary
2. the right of judicial review
3. courts of first instance
4. courts of appeals
5. to make initial decisions
6. to serve as trial courts in more serious crimes
7. to hear relevant cases
8. appointed justices of the Supreme Court
9. questions pertaining to judicial practice
10. economic disputes between business entities

4. Работа в парах. Соотнесите английские предложения в правой колонке с соответствующими русскими предложениями из левой колонки. Закрывая попеременно колонки, проверьте друг у друга правильность перевода предложений с английского языка на русский и наоборот.

1.Правосудие в Российской Федерации осуществляется только судом. (Статья 118 Конституции РФ).	a. The Higher Arbitration Court of the Russian Federation shall be the supreme judicial body for settling economic disputes and other cases examined by courts of arbitration, shall carry
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	<p>out judicial supervision over their activities according to procedural forms envisaged in federal law and provide explanations on the issues of court proceedings.</p>
<p>2. Судьи независимы и подчиняются только Конституции Российской Федерации и федеральному закону. (Статья 120 Конституции РФ).</p>	<p>b. The Constitutional Court of the Russian Federation, upon the requests of the President of the Russian Federation, the Council of the Federation, the State Duma, the Government of the Russian Federation, the bodies of the legislative power of the subjects of the Russian Federation, shall give its interpretation of the Constitution of the Russian Federation.</p>
<p>3. Разбирательство дел во всех судах открытое. Слушание дела в закрытом заседании допускается в случаях, предусмотренных федеральным законом. (Статья 123 Конституции РФ).</p>	<p>c. Justice in the Russian Federation shall be administered by courts alone.</p>
<p>4. Конституционный Суд Российской Федерации по жалобам на нарушение конституционных прав и свобод граждан и по запросам судов проверяет конституционность закона, примененного или подлежащего применению в конкретном деле, в порядке, установленном федеральным законом. (Статья 125 Конституции РФ).</p>	<p>d. The Supreme Court of the Russian Federation shall be the supreme judicial body for civil, criminal, administrative and other cases under the jurisdiction of regular courts, shall carry out judicial supervision over their activities according to procedural forms envisaged in federal law and provide explanations on issues of court proceedings.</p>
<p>5. Верховный Суд Российской Федерации является высшим судебным органом по гражданским, уголовным, административным и иным делам, подсудным судам общей юрисдикции, осуществляет в предусмотренных федеральным законом процессуальных формах судебный надзор за их деятельностью и дает разъяснения по вопросам судебной практики. (Статья 126 Конституции РФ).</p>	<p>e. Examination of cases in all courts shall be open. Examinations in camera shall be allowed only in the cases envisaged by federal law.</p>
<p>6. Высший Арбитражный Суд Российской Федерации является высшим судебным органом по разрешению экономических споров и иных дел, рассматриваемых арбитражными судами, осуществляет в предусмотренных федеральным законом процессуальных формах судебный надзор за их деятельностью и дает разъяснения по вопросам судебной практики. (Статья 127 Конституции РФ).</p>	<p>f. Judges shall be independent and submit only to the Constitution and federal law.</p>

5. Прочитайте текст. Ответьте на вопросы. Переведите текст письменно.

8. Is Montesquieu's theory prescriptive or descriptive?
9. Is this theory a practical model of governing a country?
10. What is the essence of this theory?

The constitutional role of the judiciary is based on the theory of the separation of powers which was particularly developed by the French political scientist, Montesquieu. He wrote: "When the legislative and executive powers are united in the same person or in the same body of magistrates, there can be no liberty... Again, there is no liberty, if judiciary power be not separated from the legislative and executive. Were it joined with the legislative, the life and liberty of the subject would be exposed to arbitrary control; for the judge would then be the legislator. Where it joined to the executive, however, the judge might behave with violence and oppression. There would be an end to everything, were the same man, or the same body, whether of the nobles or the people, to exercise those three powers, that of enacting laws, that of executing the public resolutions, and of trying the causes of individuals". (Montesquieu, De l'Esprit des Lois, 1748).

6. Заполните пропуски соответствующими словами из рамки.

1. independent 2. legislature (2) 3. United States 4. conform 5. executive (3) 6. judicial
7. three 8. different (2) 9. prescriptive 10. judiciary 11. administrative 12. descriptive
13. legislative

There are (...) main functions of government. These are the (...), the (...), and the (...). The theory of separation of powers states that these functions should be carried out by (...) bodies. The British constitution does not (...) to this theory. The same people are members of the (...) and the (...) and there are some (...) functions which are carried out by the courts. The distinction is clearer in the constitution of the (...) where the executive, legislative and judicial roles are performed by (...) bodies. The theory is (...) rather than (...) of the liberal system of government, an essential feature of which is that the (...) should be (...) of the (...) and the (...).

7. Напишите небольшое сочинение (12-15 предложений) на тему "Separation of Powers" по следующему плану:

1. Define the theory.
2. The reasons for the theory.
3. How the theory is applied to the Russian state system.
4. Comparison of the Russian Constitution with constitutions of other countries.

Используйте в сочинении логико-грамматические лексические единицы:

However - Однако
Furthermore – Кроме того
In addition – К тому же
Nevertheless – Тем не менее
The point is ... - Дело в том, что ...
To begin with – Прежде всего
To sum it up – В итоге

Most probably – По всей вероятности
 Let's take facts – Давайте рассмотрим факты
 In fact - Фактически
 Thus – Таким образом
 That is why -Поэтому
 As a result – В результате
 Still – Все-таки
 In general – В общем
 In brief – Вкратце (в нескольких словах)
 Besides – Более того

8. Работа в парах. Обсудите с коллегой, в каком суде рассматривались или будут рассматриваться судебные дела, приведенные ниже. Обоснуйте свою точку зрения. Используйте информацию о юрисдикции судов. Начинайте свои высказывания с одной из данных ниже речевых моделей.

1. What with one thing and another ...	Учитывая все обстоятельства, ...
2. As far as I can see ...	Насколько я понимаю, ...
3. Under the circumstances ...	В данном случае ...
4. In any case ю...	При любых обстоятельствах
5. In short ...	Короче говоря, ...
6. On the one hand ...	С одной стороны, ...
7. On the other hand ...	С другой стороны, ...
8. I am inclined to think ...	Я склонен думать, что ...
9. To my mind ...	По моему мнению, ...

Case 1.

A drunk walked into a supermarket. When the manager asked him to leave, the drunk assaulted him, knocking out a tooth. A policeman who arrived and tried to stop the fight had his jaw broken.

Case 2.

A man owns a large country estate which he has turned into a wildlife park. The park is surrounded by a five-meter fence and is regularly patrolled by security guards. One night one of the lions escaped and killed a valuable horse in the adjoining field which is owned by Henry.

Case 3.

The plaintiff's friend bought her a bottle of ginger beer which had been manufactured by the defendant. She became ill in the result of drinking the ginger beer which contained the remains of the discomposed snail. She sued the manufacturer for the compensation for damages she had suffered.

Case 4.

A defendant owed the plaintiffs a sum of money for building work. The defendants consistently refused to pay the money knowing the plaintiffs were in financial difficulty, they offered to pay only half of the sum to settle the debt. The plaintiffs reluctantly accepted. Then they sued for the recovery of the outstanding debt.

Case 5.

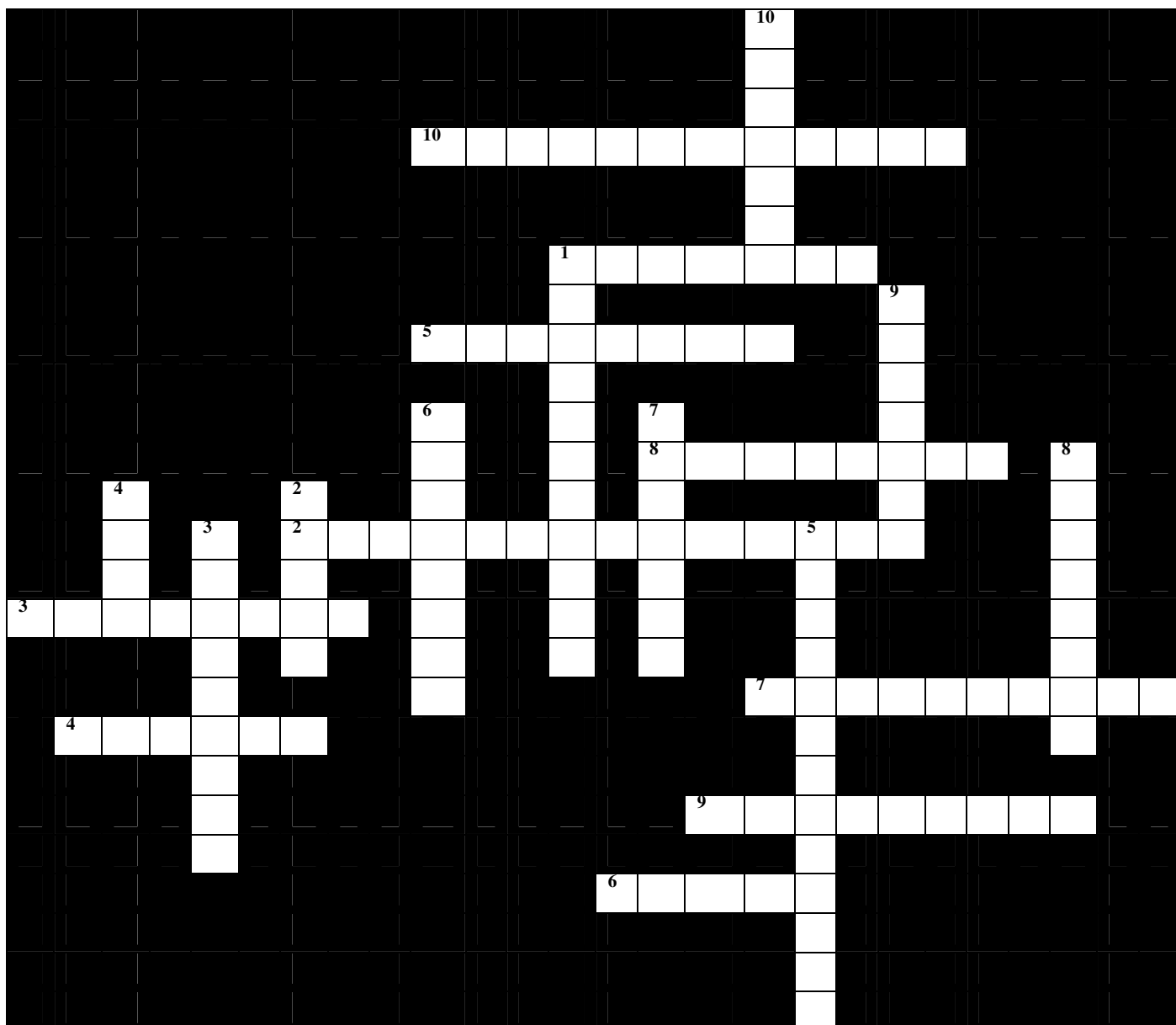
The plaintiffs asked their bankers to inquire into the financial stability of the company with which they were having business dealings. Their bankers made inquiries of the company's bankers who carelessly gave favourable references about the company. Reliance on these references caused the plaintiffs to lose \$117,000. The plaintiffs sued defendants of their careless statements.

9. Соревнование между группами. Студенты разбиваются на две группы. Одна группа разгадывает кроссворд I, другая – кроссворд II. Побеждают студенты, разгадавшие кроссворд первыми. Проигравшие отгадывают кроссворд победившей группы, выигравшие их проверяют.

I.

По горизонтали: 1. верховный (закон, суд); 2. административный; 3. провозглашать; 4. социальный; 5. одобрение (закона); 6. правовой; 7. торговый; 8. предусматривать; 9. произвольно; 10. обстоятельство, факт.

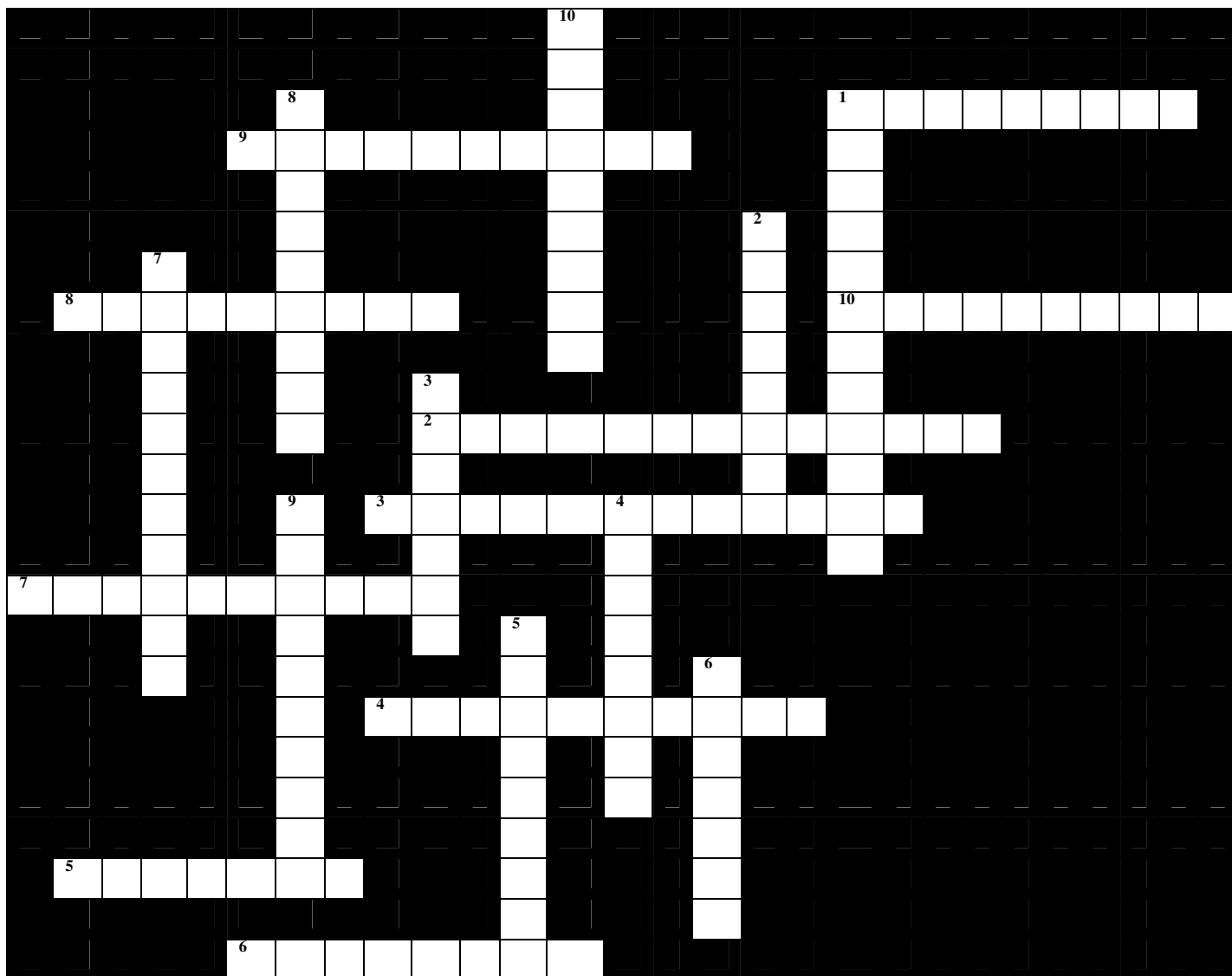
По вертикали: 1. наблюдение, надзор; 2. юридически действительный; 3. политический; 4. налагать вето; 5. неприкосновенность; 6. судебный; 7. лишать (права); 8. экономический; 9. частная (жизнь); 10. правосудие, судья.



II.

По горизонтали: 1. судебная власть; 2. парламентский; 3. утверждение; 4. федеративный; 5. защищать (право, закон); 6. назначать (на должность); 7. республиканский; 8. исполнительная (ветвь власти); 9. передача (дела, закона) на рассмотрение; 10. демократический.

По вертикали: 1. юрисдикция, подсудность; 2. судебное решение; 3. назначать; 4. имеющий отношение к делу; 5. поправка (к закону); 6. освобождать (от должности); 7. законодательный орган; 8. бюджетный; 9. научный; 10. осуществлять арбитражное разбирательство.



10. Переведите предложения на английский язык.

1. Конституционный Суд Российской Федерации по запросам Президента Российской Федерации, Совета Федерации, Государственной Думы, одной пятой членов Совета Федерации или депутатов Государственной Думы, Правительства Российской Федерации, Верховного Суда Российской Федерации и Высшего Арбитражного Суда Российской Федерации, органов законодательной и исполнительной власти субъектов Российской Федерации разрешает дела о соответствии Конституции Российской Федерации. (Статья 125 Конституции РФ)

2. Судьи Конституционного Суда Российской Федерации, Верховного Суда Российской Федерации, Высшего Арбитражного Суда Российской Федерации назначаются Советом Федерации по представлению Президента Российской Федерации. (Статья 128 Конституции РФ)
3. Судебная власть осуществляется посредством конституционного, гражданского, административного и уголовного судопроизводства. (Статья 118 Конституции РФ)
4. Суд, установив при рассмотрении дела несоответствие акта государственного или иного органа закону, принимает решение в соответствии с законом. (Статья 120 Конституции РФ)
5. Судопроизводство осуществляется на основе состязательности и равноправия сторон. (Статья 123 Конституции РФ)
6. Генеральный прокурор Российской Федерации назначается на должность и освобождается от должности Советом Федерации по представлению Президента Российской Федерации. (Статья 129 Конституции РФ)

UNIT 5. SOURCES OF RUSSIAN LAW

1. Прочитайте текст и найдите ответы на вопросы.

2. What are the official sources of law in Russia?
3. Why does the Russian Constitution provide for the complicated procedure of the adoption of the federal constitutional laws?
4. What do federal laws regulate?
5. In which cases does the Constitution guarantee the priority of the act of a constituent component?
6. What is a code?
7. What happens if any international treaty of the Russian Federation establishes rules other than those established by a domestic law?
8. What is the main aim of decrees and directives of the President?
9. What is the role of the precedent in the judicial practice in Russia?

TEXT

SOURCES OF RUSSIAN LAW

Historically, Russia belongs to the continental legal system, and a written law, which was passed under the established legislative procedure, is the main legal source. About 10,000 laws, regulations, and other legal acts are passed in Russia annually.

The Constitution is the supreme Russian law and major legislative instrument. It establishes the principle of superiority of law in the system of legal sources. All other legal acts, such as decrees of the President, Governmental regulations, acts of Ministries and other federal executive agencies, as well as legislation passed by the constituent components of the Russian Federation cannot contradict laws. All laws are passed exclusively by the Federal Assembly.

Federal constitutional laws establish the group of the most important legislative acts. Because of their significance, the Russian Constitution provides for the complicated procedure of their adoption. The federal constitutional law is adopted if it has been approved by at least three-quarters of the total number of the Federation Council members and by at least two-thirds of the total number of the State Duma members. The President of Russia cannot veto federal constitutional laws. The list of federal constitutional laws is prescribed by the Constitution. It includes laws on the state of emergency, the change of the status of a constituent component of the federation, on constitutional amendments, on government, on referendum, on the judiciary, on the Constitutional Court, and some other.

Federal laws constitute the second category of legal sources. They regulate issues included into executive authority of the Russian Federation and its components. The Constitution protects priority and direct effect of federal laws throughout the territory of Russia. In case of a conflict between federal law and another act issued in Russia, the law will prevail. Meanwhile, the Constitution guarantees the priority of the act of a constituent component if such act regulates issues outside the Russian Federation's scope of authority. Often, Russian laws are adopted in the form of a Code of Law. A Code is a complete collection of rules in an entire subject area such as: civil law, criminal law, labour law, etc.

Universally acknowledged principles and standards of international law and international treaties of the Russian Federation are a part of Russia's legal system. Should an international treaty of the Russian Federation establish rules other than those established by a domestic law, the rules of the international treaty will prevail.

Decrees and directives of the President establish a separate category of legal acts and do not belong to subordinate legislation. Due to an absence of required laws, the President can pass decrees regarding all questions without any limits if a valid federal law does not regulate this issue, except of cases when the Constitution directly says that the question requires the adoption of a federal law.

An additional group of delegate legislation is comprised by normative acts of federal executive authorities. These acts are related to laws through Directives of the Government. They develop, add, and concretize existing legal norms. There are different forms of such acts: regulations, orders and instructions, varying by its content and the procedure of adoption

Following the traditional civil law approach, judicial practice is restricted to applying and interpreting the law, and the precedent cannot serve as a legal source. According to Russian legal doctrine, judges are supposed to use only written law contained in codes, statutes, or regulations in deciding a case; however, a decision to vacate a particular legal act proves to be a source of law, and the Constitutional Court indicated that its previous decisions shall be followed as *stare decisis*. Even though attorneys use prior judicial decisions in their arguments, judges should not refer to prior cases in their decisions. Court judgments in individual cases are not precedents for future decisions.

2. Переведите словосочетания из текста на русский язык.

1. continental legal system
2. written law
3. principle of superiority of law
4. Ministries and other federal executive agencies
5. constitutional amendments
6. executive authority of the Russian Federation
7. to regulate issues
8. to adopt laws
9. international treaties
10. valid federal law
11. group of delegate legislation

3. Найдите в тексте английские эквиваленты русским словосочетаниям.

1. по установленной законодательной процедуре
2. основной источник права
3. постановления и другие законодательные акты
4. тремя четвертями палаты
5. верховенство и непосредственное применение федеральных законов
6. полное собрание норм

7. общепризнанные принципы и нормы
8. издавать указы
9. за исключением случаев
10. содержащиеся в кодексах, статутах или постановлениях

4. Подберите слова из текста, соответствующие данным определениям.

1. _____ is an official rule or order.
2. _____ is the whole system of rules that citizens of a country must obey.
3. _____ is an official command or decision, especially one made by the ruler of the country.
4. _____ is a written change or improvement to the law or document.
5. _____ is an occasion when everyone in a country votes in order to make a decision about a particular issue.
6. _____ is set of written rules or laws.
7. _____ is a formal agreement between two or more countries.
8. _____ is a judicial decision that may be used as a standard in subsequent similar cases.

5. Переведите предложения на английский язык.

1. Правительство РФ является органом государственной власти.
2. Правительство осуществляет исполнительную власть в Российской Федерации.
3. Правительство осуществляет свою деятельность на основе Конституции РФ, федеральных конституционных законов, федеральных законов и нормативных указов Президента РФ.
4. Правительство РФ в своей деятельности руководствуется принципами верховенства Конституции РФ, федеральных конституционных законов, федеральных законов и принципами народовластия и федерализма.

6. Прочитайте текст и ответьте на вопросы.

1. What are the sources of American legal system?
2. What is common law based on?
3. What do vertical dimensions of American sources of law include?
4. What do horizontal dimensions of American sources of law include?

TEXT

THE AMERICAN SOURCES OF LAW

Constitutional Law is based on a formal document that defines broad powers. Federal constitutional law originates from the U.S. Constitution. State constitutional law originates from the individual state constitutions.

Statutes and Ordinances are legislation passed on the federal, state, or local levels.

Common Law is based on the concept of precedence - on how the courts have interpreted the law. Under common law, the facts of a particular case are determined and compared to previous cases having similar facts in order to reach a decision by analogy. Common law applies mostly at the state level. It originated in the 13th century when royal judges in England began recording their decisions and the reasoning behind the decisions.

Administrative Law - federal, state, and local level. Administrative law is made by administrative agencies that define the intent of the legislative body that passed the law.

The sources of law have both vertical and horizontal dimensions. Vertical dimensions include federal authority, state authority, and concurrent authority. Federalism refers to this form of government, in which there is national and local authority. Federal authority covers laws related to patents, pensions and profit sharing, and labour issues. State authority covers business association, contracts, and trade secrets. Concurrent authority covers security law, tax law, and employment law. Note that employment law refers to non-union relationships; labour law refers to union relationships.

The horizontal dimension is related to the separation of power between the executive branch, which creates administrative law, the legislative branch, which creates statutes, and the judicial branch, which creates common law. The judicial system in the U.S. has a pyramid structure.

7. **Согласитесь или опровергните утверждения.**

1. Federal constitutional law originates from the U.S. Constitution.
2. Common Law is based on how the courts have interpreted the law.
3. Common law applies mostly at the national level.
4. Federalism refers to the American Constitution according to which there is national and local authority.
5. Federal authority covers laws related to business association, contracts, and trade secrets.
6. The horizontal dimension is related to the separation of powers between the executive branch, the legislative branch, and the judicial branch.

8. **Воспользуйтесь Интернет-ресурсами или толковым словарем и напишите дефиниции следующих понятий:**

1. a statute
2. an ordinance
3. a constitution
4. common law
5. precedent

9. **Работа в парах. Сравните источники Российского права и права Соединенных Штатов Америки. Запишите в таблицу, что между ними общего и в чем различия.**

	Common sources	Different sources
The Russian Federation		
The United States of America		

10. **Пользуясь Интернет-ресурсами и толковым словарем, сделайте презентацию темы «Источники английского права: Magna Carta, the Bill of rights, the Act of Settlement, Parliament Acts, judicial precedents». Ознакомьтесь с советами, приведенными ниже, как провести успешную презентацию и удержать внимание аудитории.**

After having the general outline about the speech, we need to build up five basic elements. Eye contact is the number-one way to reduce our nervousness because it helps to gather our thoughts, think clearly and remember what to say. And, eye contact expresses how the connection

between the presenter and the audience is, so activating the powerful eye contact is very necessary. It's better to avoid jumping the eyes, instead of performing like that, we should contact with a small group first, and then slowly move to another side. Step two is the voice projection; this makes people clearly hear us and any persuasiveness we are talking to. Number three is voice intonation or inflection; to keep the audience interested, it should not be a managed tone voice. The fourth process is the clarity of the message. This shows how clearly we are getting across our points. And, number five is the enthusiasm. This means how passion we are and how much we enjoy the talking topic.

The most important thing in presentation is to allow our audience to receive the information simply and easily. Good presenters always pay attention to their audiences. To carry out this, first, we should understand the audience's mood. The atmosphere our audience carries bases on their thought, their positive or negative points of view, so if we want to have impact on them, we must lead a good life because we can't be a liar every day. The second important thing is to learn how to "read" the audience; sometimes they are very "cool", sometimes they are very "cold". If they are "cold", they may drop something or react incredibly boring; in fact, unless we give them a certain kind of respect and empathy, we can't bring them back and follow us. That is the reason why understanding about audience's feeling is really a great thing.

Finally, we should remember to take a deep breath and relax. Only when we are confident, the audience can concentrate on our speech intensely and fully.

In short, making an effective presentation is a skill, in another word, it is an art and a certificate as long as keep practicing. After all, practice makes perfect.

UNIT 6. TEST YOURSELF

1. Прочитайте текст и вставьте пропущенные слова.

The system of law in the Russian Federation is presented by norms, institutions and ___1___ which together make a single unity. The system reflects social relations regulated by specific norms and institutions of law. Branches of law are supposed to be one of the basic units in the whole ___2___. Each branch has its own ___3___, which differentiate this very branch from the others, its subject and method and its own place in the system. For years Russian jurists have made attempts ___4___ branches of law. Thus as well as in most other countries law in Russia is divided into public and private, substantive and procedural, ___5___ and international. But there is one more ___6___ which is based on certain characteristics of Russian law. Traditionally Russian lawyers single out fundamental, specialized and composite or complex branches of law.

Fundamental branches regulate the most general and important relations in different spheres of ___7___. This category involves branches of ___8___ such as civil law, criminal law, administrative law, as well as procedural law including civil, criminal and administrative procedural law. Constitutional law doesn't belong to the group of ___9___. It is traditionally considered to have the leading position among other branches, as the norms of constitutional law serve the basis for the norms of other branches. Constitutional law in Russia concerns the structure of legislative, executive and ___10___ power and principles of their work; the political system of the country; its federative structure; ___11___; electoral system; legal status of citizens including their rights, duties and liberties. The main source of constitutional law is the Constitution of the Russian Federation.

judicial; classification; substantive law; to classify; fundamental branches; system of law; social life; forms of property; peculiarities; branches of law' domestic

2. Согласитесь или опровергните утверждения. (True or False)

1. The system of Russian law reflects social relations regulated by specific norms and institutions of law.
2. Branches of law are the main elements of the whole system of Russian law.
3. Classification of law in Russia was made long ago.
4. Russia has the same classification of law as in most other countries.
5. Fundamental branches regulate the most general and important relations in different spheres of life.
6. Civil law, criminal law, administrative law belong to fundamental branches.
7. Constitutional law belongs to the group of fundamental branches as well.
8. Constitutional law in Russia doesn't concern the principles of work of the executive power.

3. Определите, какие предложения содержат оборот «сложное подлежащее» и переведите их на русский язык.

1. It is traditionally considered to have the leading position among other branches.
2. It considers the problems of marriage and divorce, child custody and adoption.
3. Branches of law are supposed to be one of the basic units in the whole system of law.
4. They suppose that constitutional law doesn't belong to the group of fundamental branches.
5. Their norms are presented in special codes, for example the Family Code.
6. The Labour Code is known to be the source of employment law.

4. Дополните предложения.

1. The State Tretyakov Gallery is renowned for _____
 - a) its collection of famous masterpieces by European artistic geniuses
 - b) its collection of famous Russian icons
 - c) its collection of Egyptian sculptures
2. St. Basil Cathedral is located _____
 - a) near the Great Kremlin Palace
 - b) near the Cathedral of Christ the Savior
 - c) in Red Square
3. The inauguration ceremony of the President of the Russian Federation takes place in _____
 - a) the Cathedral of Christ the Savior
 - b) the Great Kremlin Palace
 - c) the Winter Palace
4. The white-blue-red flag with three equal horizontal stripes returned as the national flag of the Russian Federation _____
 - a) in 1991
 - b) in 1993
 - c) in 2000

5. The modern state emblem of the Russian Federation is _____
 - a) two-headed eagle with three crowns
 - b) two-headed eagle with two crowns
 - c) two-headed eagle with three crowns and Saint George striking the Serpent in the centre

6. The national anthem of the Russian Federation is composed by _____
 - a) Sergey Mikhalkov
 - b) Michael Glinka
 - c) Alexander Alexandrov

7. The President of Russia is elected by general election for a term of _____
 - a) six years
 - b) five years
 - c) four years

8. The Russian Federation consists of _____
 - a) eighty-nine constituent components
 - b) eighty-seven constituent components
 - c) eighty-two constituent components

9. The legislature of the Russian Federation is represented by _____
 - a) the Federal Assembly
 - b) the State Duma
 - c) the Federation Council

10. Historically, Russia belongs to _____
 - a) the common law system
 - b) the continental legal system
 - c) the customary law system

5. Переведите предложения на английский язык.

1. Система права представляет собой систему норм, правовых институтов и отраслей права, регулирующих общественные отношения.
2. Особенности различных систем права отражены в многочисленных классификациях отраслей права.
3. Согласно наиболее общим классификациям, которые предлагаются современными юристами, право часто делится на публичное и частное, а также на материальное и процессуальное.
4. В соответствии с законом запрещено любое противоправное поведение, нарушающее права и свободы отдельных граждан.
5. Каждый юрист обязан знать основы процессуального права, а именно (namely), как начинается судебное разбирательство, как проводятся слушания, как подаются апелляции, как исполняются судебные решения и т.д.

GLOSSARY

1. amend – вносить поправки (в документ)

amendment – исправление, внесение поправки, поправка, дополнение, изменение

constitutional ~ - поправки в конституцию страны

make an ~ - внести поправку

reject an ~ - отклонить поправку

2. conform – соответствовать чему-либо, согласоваться с чем-либо, приспособливаться

conform to the Constitution – соответствовать конституции

conform to international standards – соответствовать международным стандартам

conformation – соответствие

3. contradict – противоречить, возражать, опровергать, отрицать

~ a fact – отрицать факт

~ law – противоречить закону

~ a statement – возражать против заявления

~ a witness – опровергать показания свидетеля

4. court – суд

~ of first instance – суд первой инстанции

~ of arbitration – арбитражный суд

~ of appellate jurisdiction – суд второй инстанции, апелляционная инстанция

high ~ - высокий суд

higher ~ - вышестоящий суд

supreme ~ - верховный суд

trial ~ - суд первой инстанции

appear in ~ - предстать перед судом

attend the ~ - явиться в суд, присутствовать на судебном заседании

bring before the ~ - предать суду (судебному разбирательству)

in open ~ - в открытом судебном заседании

5. executive – исполнительный; исполнительная власть

~ authority – исполнительная власть

~ branch – исполнительная ветвь власти (правительство)

~ Director - Исполнительный Директор (компании)

execute – исполнять, выполнять; казнить

execution – выполнение; казнь

6. judicial – судебный, судейский

~ branch – судебная ветвь власти

~ review – судебный надзор

~ system – судебная система

~ practice – судебная практика

judiciary – судебная власть

7. jurisdiction – юрисдикция, подсудность, судебный округ, территория в подведомственности органа власти

exclusive ~ - исключительная юрисдикция

general ~ - общая юрисдикция
judicial ~ - подсудность
supervisory ~ - надзорная юрисдикция
territorial ~ - территориальная юрисдикция
trial ~ - юрисдикция суда первой инстанции
within ~ - в пределах юрисдикции

8. justice – справедливость, правосудие, юстиция, судья

~ in court – судья в судебном заседании
~ of peace – мировой судья
course of ~ - отправление правосудия
civil ~ - гражданское судостроительство
criminal ~ - уголовное судопроизводство
administer ~ - отправлять правосудие
bring to ~ - предать правосудию

9. legislation – законодательство, законодательный акт, законодательная деятельность, нормотворческая деятельность

~ in force – действующее законодательство
adopt ~ - принять закон (законодательный акт)
initiate ~ - инициировать закон, выступить с законодательной инициативой
introduce ~ - внести законопроект
pass ~ принять закон
promulgate ~ обнародовать закон
propose ~ - предложить закон
draft ~ - законопроект
subordinate ~ - подзаконный акт
legislature – законодательная власть, законодательный орган
bicameral ~ - двухпалатный законодательный орган (парламент)
legislative - законодательный
~ branch – законодательная ветвь власти
~ instrument – инструмент законодательной власти
~ veto – вето, наложенное законодательным органом
~ initiative – законодательная инициатива

10. source - источник

~ of law – источник права
~ of power – источник власти
legal ~ - источник права

MODULE 8

CRIMINAL TRIAL

UNIT I. INTRODUCTION TO A CRIMINAL TRIAL



Court cases involve a number of participants.

1. Прочитайте вопрос и выберите, по Вашему мнению, правильный ответ. Объясните, почему Вы так считаете.

Why is criminal law prosecuted by the state rather than by individual citizens?

- a) Victims of crime are usually unable to afford legal representation.
- b) Crime is considered a wrong against us all and thus a matter of public law.
- c) Crime is often due to government decisions or policy and the state must take responsibility for it.
- d) It is a matter of organization and this is a subject of administrative law.

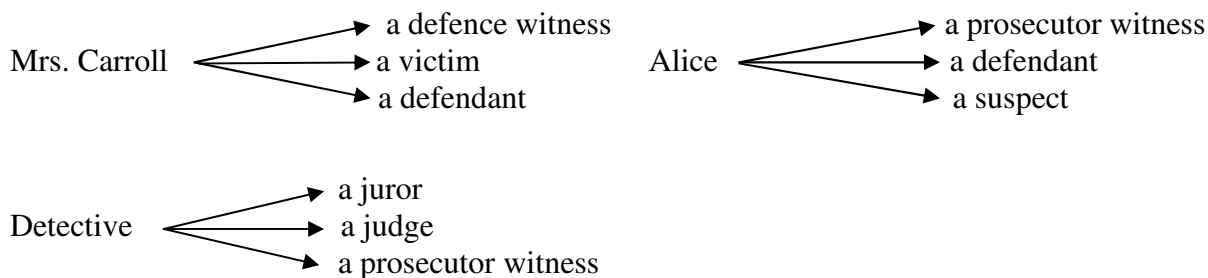
2. Прочитайте рассказ и скажите, что последует за поступками матери и дочери.

A detective watched Mrs. Carroll a well-dressed woman who always went into a large store on Monday mornings. One Monday, there were fewer people in the shop than usual when the woman came in, so it was easier for the detective to watch her. The woman first bought a few small articles. After a little time, she chose one of the most expensive dresses in the shop and handed it to an assistant who wrapped it up for her as quickly as possible. Then the woman simply took the par-

cel and walked out of the shop without paying. When she was arrested, the detective found out that the shop assistant was her daughter Alice. The girl “gave” her mother a free dress once a week!

- A. They don't have to go to court because theft is only an act of dishonesty.
- B. It will result in a minor criminal charge that can destroy their reputation in the community.
- C. They will be accused of committing a crime and face a criminal trial.

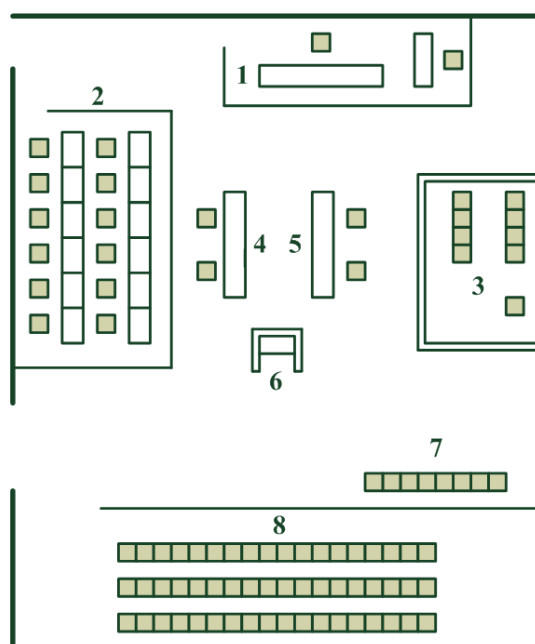
3. Скорее всего, Вы согласитесь с последним утверждением. Как будут обращаться в суде к миссис Кэрролл, ее дочери Эллис и детективу? Выберите правильный ответ.



4. Как называются стороны, выполняющие на основе уголовного процесса функцию обвинения (уголовного преследования) и защиты от обвинения? Выберите правильный ответ:

- a) the prosecution and the defence
- b) the judge and the jury
- c) the criminal procedure and the civil procedure.

5. Посмотрите на схему зала судебных заседаний. Определите, где располагаются участники судебного разбирательства.



- a) a table of defence – место защиты (адвоката)
- b) a jury box – скамья присяжных заседателей
- c) places for public – места для публики
- d) a place for a defendant and guard – место для подсудимого и конвоя
- e) a witness box – трибуна для дачи свидетельских показаний
- f) places for questioned witnesses – места для допрошенных свидетелей
- g) an area of a presiding judge and a clerk – место для председательствующего судьи и секретаря судебного заседания
- h) a table of prosecution – место обвинения (прокурора)

1.	5.
2.	6.
3.	7.
4.	8.

6. Где будут находиться миссис Кэрролл, Эллис, их адвокат, обвинитель во время судебного разбирательства?

7. Прочитайте приведенные ниже высказывания и ответьте на вопросы.

1. What are the principles of justice?
2. What is a criminal trial intended for?

a). “Justice is portrayed as blind, not because she ignores the facts and circumstances of individual cases, but because she shuts her eyes to all considerations extraneous to the particular case”. *Lord Bingham (1999)*.

b) “To no one we will sell, to no one we will refuse or delay right of justice”. *Magna Carta (1215)*.

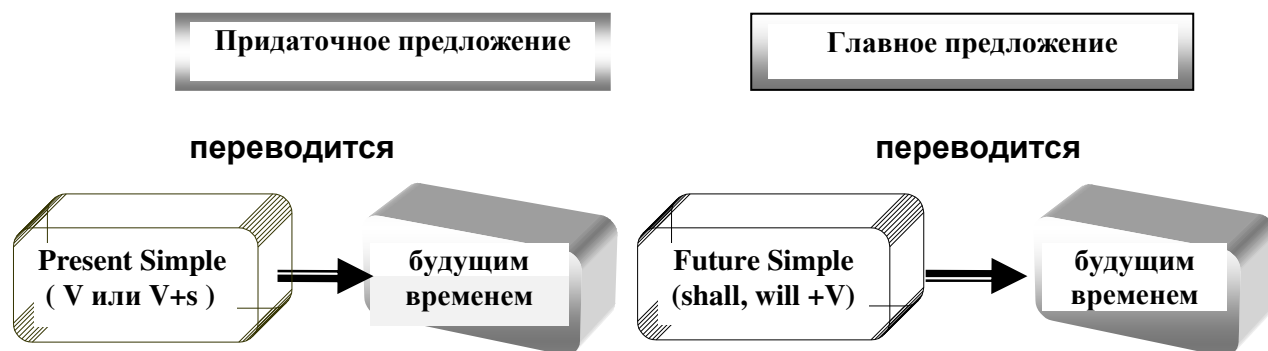
c) “Everyone is entitled to a fair and public hearing by an independent and impartial tribunal, established by law”. *The European Convention on Human Rights (1953)*.

d) Let justice be done though the heavens should fall. *Latin saying*.

e) “The criminal justice system exists to help to protect us from crime and to ensure that criminals are punished”. *Lord Irvine of Lairg (1998)*.

Повторение грамматики: условные предложения
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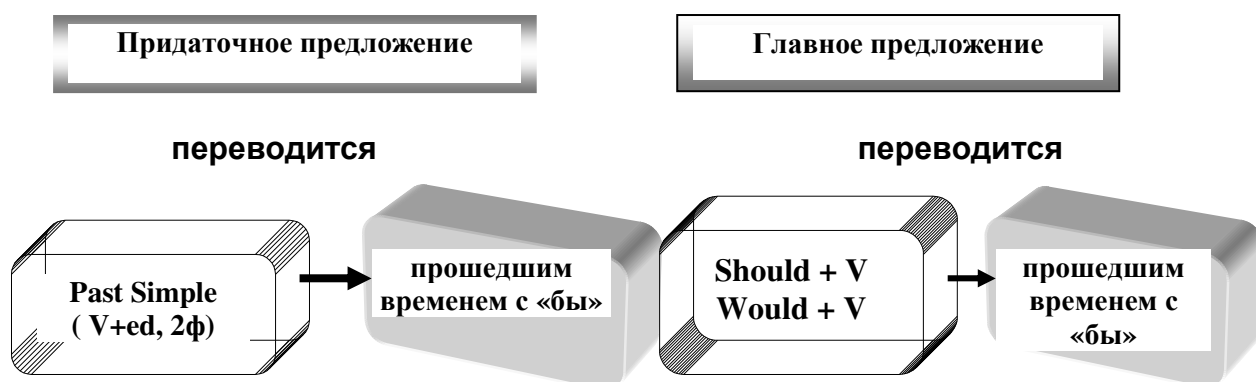
1. РЕАЛЬНОЕ УСЛОВИЕ



8. Прочитайте предложения, подчеркните сказуемые в главном и придаточном предложениях. Переведите предложения на русский язык.

1. If someone commits a crime, he will be punished.
2. If someone commits an offence, he will be arrested by the police.
3. If the defendant pleads guilty to the charges against him, a judge will sentence him to the appropriate punishment.
4. If the defendant pleads not guilty, he denies committing the offence and the trial moves to the next stage.
5. A defendant has the right to challenge (to object to) any of the jurors if he can give a good reason for the objection.
6. If a juror knows a defendant, that will be good reason for objecting to him.
7. If the judge agrees with the objection, the jurors are replaced.

МАЛОРЕАЛЬНОЕ УСЛОВИЕ



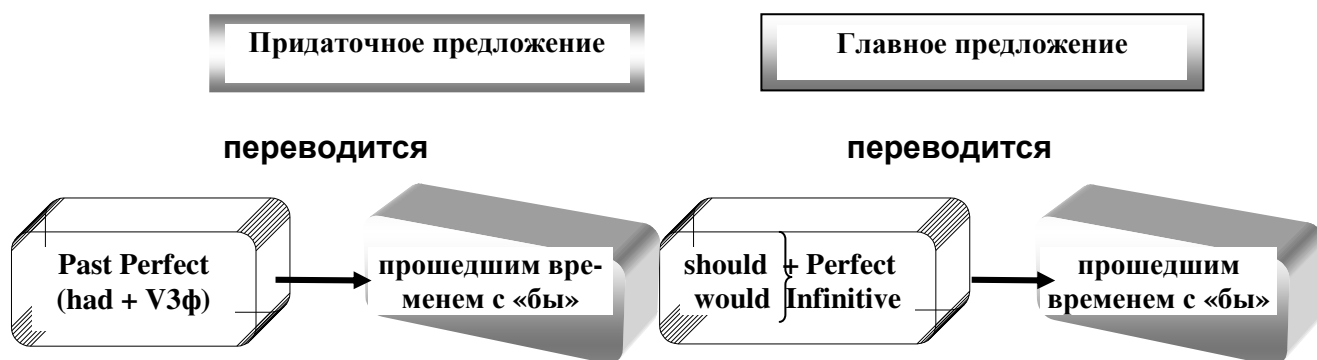
8. Раскройте скобки и поставьте сказуемое в главном предложении в правильную форму.

1. If someone committed a crime, he (to be punished).
2. If someone committed an offence, he (to be arrested) by the police.
3. If the judge agreed with the objection, the jurors (to be replaced).
4. If a juror knew a defendant, that (to be) a good reason for objecting to him.
5. If the defendant pled not guilty, the trial (to move) to the next stage.

10. Раскройте скобки и поставьте сказуемое в придаточном предложении в правильную форму.

1. If I (to be) a judge, I would try cases objectively.
2. If I (to be) a juror, I would listen to the evidence very attentively.
3. If he (to commit) a crime, he should plead guilty.
4. If the defendant (to plead) guilty to the charges against him, the judge would sentence him to the appropriate punishment.

НЕРЕАЛЬНОЕ УСЛОВИЕ



11. Посмотрите на грамматическую схему и сделайте нереальные предположения, о том, что могло бы не случиться с Миссис Кэрролл, если бы ...

1. If Mrs. Carroll hadn't been well-dressed, the detective
2. If there had been many people in the shop,
3. If she had not chosen one of the most expensive dresses in the shop,
4. If the shop assistant had not wrapped it as quickly as possible,
5. If Mrs. Carroll had given a few small articles altogether with an expensive dress,
6. If the detective had not found out their relative ties,

UNIT 2. THE FIRST STAGES OF A CRIMINAL TRIAL

1. Напишите однокоренные существительные. Подчеркните суффиксы существительных и переведите эти существительные на русский язык.

1) to arraign	6) to commit
2) to accuse	7) to punish
3) to defend	8) to object
4) to indict	9) to prosecute

2. Определите формы сказуемых и переведите их на русский язык. Выберите любые три формы сказуемых и составьте с ними условные предложения.

committed, would be accused, were done, agrees, should have read, contained, were asked, would object, will be sworn, are chosen, would have helped, are replaced, should try, is given, are referred, are designed, would move, is committed, pled, is sentenced, are objected, had challenged, is followed, had been denied, is tested, had been questioned, are spoken, are admitted, would plead.

3. Переведите сказуемые, обращая внимание на оттенки, передаваемые модальными глаголами и их эквивалентами. Выберите любые три формы сказуемых и составьте с ними предложения.

are to be tried, can give, is to help, must be sworn, has to say, is not allowed to ask, may talk, may have told, may be tested, was to interfere, were allowed to insist, should speak, was to agree, have to comment, must have depended, are to lead.

5. Переведите предложения, обращая внимание на перевод инфинитива и инфинитивных конструкций.

1. Jurors have been chosen to try the case.
2. The defence asks questions in order to bring out what the witness has to say.
3. The cases to have been tried are very complicated.
4. To lead the witness into giving a particular answer is not allowed.
5. The defence lawyer has two bodyguards to protect him.
6. We shouted in order to warn everybody of the danger.
7. The prisoner was alleged to have brought dangerous drugs into the country.
8. There are exceptions to the hearsay rule for purposes of the mock trial. The court allows hearsay evidence to be introduced.
9. It is important for everyone to learn the words.
10. The prosecution and judges are, in some circumstances, allowed to tell the jury that they are entitled to draw adverse inferences from the accuser's failure to give an explanation.
11. Anyone can ask to be excused from jury service because of particular personal circumstances: a blind, deaf or severely disabled person, for instance.
12. While imposing punishment the judge must consider his public duty. Is it the sort of crime that needs a long period of custody to protect the public from the offender?

6. Вставьте пропущенные предлоги. Переведите предложения.

in	to	with	of	for
----	----	------	----	-----

1. He is accused _____ murder.
2. He opened the envelope and read _____ the name of the winner.
3. My mother objected _____ every boy I brought home.
4. There is no need _____ a trial.
5. A judge will sentence him _____ the appropriate punishment.
6. He gave a good reason _____ objecting to him.
7. Do you agree _____ corporal punishment?
8. Henderson pled not guilty _____ the charge of murder.

9. The jury found her guilty _____ the offences.
10. He was charged _____ perjury.

7. Прочитайте и переведите текст.

TEXT

THE FIRST STAGES OF A CRIMINAL TRIAL

There are five vitally important principles of justice which govern every criminal trial:

- *Every person who is accused of crime must know what the accusation is.* This must be set out in writing in the form of a charge, and it must state clearly what the person is alleged to have done.
- *A person can be convicted (found guilty) of a crime only on evidence which is given in open court.*
 - Evidence means the account of events given by witnesses (from their own knowledge of the events), who must swear on oath (or solemnly affirm) that they are telling the truth. Open court means in a court which is open to the public, that is, anyone who wants to hear the case, including the family and friends of the defendant and the Press. They have to be over 14 years old.
- *In a criminal trial the burden of proving the defendant's guilt is always on the prosecution.* This means that it is for the prosecution to prove a defendant's guilt, not for the defendant to prove his innocence.
- *'No man shall be condemned unheard'.* This means that whatever the case for the prosecution may be, the defendant has an equal right to have his or her case presented to the court, and to call evidence in support of that case.
- *Trial by jury is actually a trial by judge and jury.* It is a partnership in which the two have separate parts to play – with the judge presiding over the trial and deciding all matters of law, and the jury deciding all questions of fact.

The trial begins with the arraignment (accusation) of the defendant. The defendant is accused in court of the offences which are to be tried. This is done by the clerk reading out the indictment, the document which contains the charges. After each charge is read the defendant is asked: «Do you plead guilty or not guilty?». If the defendant pleads guilty to the charges against him, this means that he admits that he committed the offences. Then there is no need for a trial, and a judge will sentence him to the appropriate punishment. If he pleads not guilty, he denies committing the offence and the trial moves to the next stage.

Twelve jurors are sworn to try the case. A defendant has the right to challenge (to object to) any of the jurors who are chosen to try his case, but only if he can give a good reason for the objection. For example, if a juror knows a defendant, or knows any of the witnesses in the case, that would be good reason for objecting to him. If the judge agrees with the objection, the jurors are replaced by others to make up 12.

The barrister for the prosecution makes a prosecution opening speech, telling the jury what the case is all about. The purpose of this statement is to help the jury to understand what the charge is and to follow the evidence when it is given. Then he calls the prosecution witnesses. They must be sworn and give evidence according to certain rules. The side (the prosecution or the defence), calling the witness asks questions first, in order to bring out what the witness has to say (the examination-in-chief or direct examination). The party calling the witness is not allowed to ask questions that are designed to lead the witness into giving a particular answer (leading questions). Another important rule is the rule against allowing hearsay evidence. Witnesses may talk about what they

saw and heard, but not about what other people may have told them. The evidence of the witness may be tested in cross-examination by the lawyer for the other side (the defence or prosecution). He is allowed to ask any questions provided that they are relevant to the case.

8. Подберите к английским словам и словосочетаниям из текста русские эквиваленты.

1. to try an offence (a case)	a) судебное дело
2. indictment	b) совершить преступление
3. case	c) обвинительный акт
4. to plead (not) guilty to the charges against smb	d) рассматривать правонарушение (слушать дело)
5. to commit an offence	e) предъявление обвинения
6. to sentence smb to appropriate punishment	f) признавать (не признавать) себя виновным в предъявленных обвинениях
7. to deny committing the offence	g) давать отвод любому присяжному
8. arraignment (accusation)	h) отрицать совершение преступления
9. to challenge any of the jurors	i) обвинитель (прокурор)
10. to give a good reason for objection (a juror)	j) приговорить кого-либо к соответствующему наказанию
11. barrister for the prosecution	k) допрос свидетеля стороной, по ходатайству которой он вызван
12. examination-in-chief	l) представлять достаточные основания для отвода (присяжного)
13. to lead the witness	m) перекрестный допрос (свидетеля противной стороны)
14. hearsay evidence	n) задавать свидетелю наводящий вопрос
15. cross-examination	o) вопросы, относящиеся к делу
16. questions which are relevant to the case	p) давать клятву
17. burden of proving the defendant's guilt	q) показания с чужих слов, свидетельства, основанные на слухах
18. to convict	r) доказательства, показания
19. evidence	s) осудить, признать виновным
20. to put reliable evidence	t) бремя доказывания вины подсудимого
21. to swear an oath	u) предъявлять достоверные доказательства
22. to allege	v) заявлять, утверждать

9. Найдите в тексте эквиваленты русским словам и словосочетаниям.

- 1) документ, содержащий обвинение против подсудимого;
- 2) признать подсудимого виновным;
- 3) присяжный знаком с подсудимым или знает кого-либо из свидетелей по делу;
- 4) вызывать свидетеля обвинения;
- 5) представлять доказательства, установленные уголовно-процессуальным кодексом;
- 6) запрещать задавать свидетелю наводящие вопросы;
- 7) проверять показания свидетеля в ходе перекрестного допроса;
- 8) разрешать задавать любые вопросы, не касающиеся рассматриваемого дела.

10. Закончите предложения в соответствии с содержанием текста.

1. The principle of justice which governs every criminal trial is _____
 - a) open court
 - b) accusation of the defendant
 - c) the burden of proving the defendant's guilt is on the prosecution
 - d) the defendant's equal right to have his case presented to the court.
2. The trial begins with _____
 - a) a prosecution opening speech
 - b) calling the prosecution witness
 - c) the examination-in-chief
 - d) the arraignment.
3. The indictment is a document which contains _____
 - a) charges
 - b) the appropriate punishment
 - c) the offence
 - d) a good reason for objecting jurors.
4. The party calling the witness is not allowed _____
 - a) to ask any questions
 - b) to lead the witness
 - c) to be cross-examined by the lawyer for the other side
 - d) to ask any questions that are not relevant to the case

11. Выразите свое согласие/несогласие со следующими утверждениями, используя ту или иную речевую модель.

Models:

I am totally opposed to... – Категорически не согласен с ...
I feel (that) it is true – Я считаю, это правильно

1. No principles of justice govern a criminal trial.
2. The defendant is accused in court.
3. The defendant never pleads guilty to the charges against him.
4. There is no need for trial if the defendant pleads guilty.
5. Twelve jurors are sworn to try the case.
6. The barrister for the prosecution must tell the jury what the case is all about.
7. The jurors must give evidence according to certain rules.
8. If a juror knows a defendant or any of the witnesses in the case he may try the case.
9. Witnesses may talk about what other people may have told them.
10. If the judge agrees that there is no case, he'll direct the jury to find the defendant not guilty.

12. Прочитайте определения и скажите, о каких словах из текста идет речь.

	information given in a court of law in order to prove that someone is guilty
	the official in control of a court who decides how criminals should be punished
	the process or act of bringing a charge against someone for a crime, or being judged for a crime in a court of law
	the things that are said in a court of law to prove that someone is not guilty of a crime

	someone who sees a crime or an accident and can describe what happened
	the person in a court of law who has been accused of doing something illegal
	an official in charge of the records of a court
	a building or a room where all the information concerning a crime is given so that it can be judged
	a group of 12 ordinary people who listens to details of a case in court and decides whether someone is guilty or not
	a legal process in which a court of law examines a case to decide whether someone is guilty of a crime
	a question or problem that will be dealt with by a law court.

13. Передайте содержание текста на английском языке и скажите, какой тип судопроизводства существует в России. Докажите свою точку зрения.

Различие между состязательной (adversarial) и инквизиционной (inquisitorial) системами правосудия состоит в особенностях положения сторон и в роли судьи. При состязательном правосудии обвинение и защита находятся в равном положении по отношению к суду. Судья нейтрален. Он – арбитр между сторонами обвинения и защиты. Судья не отыскивает истину по делу и не исследует доказательства, не допрашивает свидетелей и других участников процесса. В системе состязательного правосудия это обязанности сторон. Стороны должны сами представить доказательства, выставить своих свидетелей. Функции же суда в состязательном процессе состоят в том, чтобы обеспечить соблюдение сторонами правил судопроизводства, выслушать обе стороны и принять решение.

Правосудие, построенное по инквизиционному типу, предполагает, что суд принимает на себя некоторые обязанности сторон. Судья не выступает в роли арбитра между сторонами. Он занимает активную позицию, допрашивает свидетелей. По уголовным делам судья выступает на стороне обвинения.

14. Работа в парах. Объясните коллеге, а) почему в ходе показаний свидетеля в суде сторонам по делу нельзя задавать наводящие вопросы; б) почему свидетель должен сообщать только те сведения, очевидцем которых он был. Выскажите свою точку зрения в аудитории. Пользуйтесь логико-грамматическими лексическими единицами.

In my opinion...	По моему мнению...
I'm sure (that)...	Я уверен, что...
On the one hand...	С одной стороны,...
On the other hand...	С другой стороны,...
I don't think it's reasonable to believe that...	Я не думаю, что есть основания считать, что...
Thus	Таким образом, итак
That's why	Поэтому
As a result	В результате
In fact	На самом деле
In most cases	В большинстве случаев
Besides...	Кроме того,...
What is more...	Более того...
All right, you win	Ну что ж, Вы правы (Признаю Вашу правоту)

15. Работа в мини-группах. Прочитайте судебное дело. Одна группа студентов разыгрывает перекрестный допрос подсудимых (F. R.) и свидетелей (Джамиля и служащих таможни) стороной обвинения, другая – стороной защиты. Используйте выражения, принятые при допросе в суде.

Your Honour	– Ваша честь (обращение к судье на судебном процессе)
Objection	– Возражение, протест
That’s a leading question	– Наводящий вопрос
Objection, Your Honour, council is leading the witness	– Я протестую, Ваша честь, обвинитель (защитник) задает наводящий вопрос
That’s hearsay	– Это показания с чужих слов (Свидетель не был очевидцем событий)
That’s relevance	– Относящееся к делу высказывание
Objection, Your Honour, this question is irrelevant to the case	– Я протестую, Ваша честь, этот вопрос не относится к делу

F and R were both convicted of conspiracy to import and supply heroin from Pakistan. The case was that an informer, Jamil, with the approval of Customs officers arranged with R to import heroin, which was replaced by harmless powder once it arrived in England. Both F and R met Jamil at a railway café in Birmingham and discussed the procedure of obtaining samples of “heroin” for resale. When F picked up a bag containing the replaced powder he and R were arrested. They made untruthful accounts not realizing that their movements had been monitored and later when R was told he had been under surveillance he made admissions. In his defence F said that he thought that there was a medical drug in the bag, and blamed R. R said that he was on legitimate business and knew nothing of any drug and was supervising the delivery of lawful goods. He made admissions because that was what the Customs officer wanted to hear and he wanted to be freed as soon as possible.

UNIT 3. DEFENCE EVIDENCE, CLOSING SPEECHES AND JUDGE’S SUMMING-UP

1. Образуйте сравнительную и превосходную степень от наречий.

directly	–
personally	–
usually	–
carefully	–
separately	–

2. Подчеркните парные союзы. Переведите предложения.

1. He’s lived in both Britain and America.
2. She can both speak and write Japanese.
3. She’s the kind of person you either love or hate.
4. The equipment is neither accurate nor safe.

5. Her ring is twice as big as mine.

3. Образуйте порядковые числительные от количественных числительных.

one –	five –	six –
thirty –	ninety –	a hundred –
a million –	twelve –	two thousand –

4. Переведите словосочетания и составьте с ними предложения.

defence evidence, prosecution evidence, to give evidence, to support evidence, to tailor evidence, false evidence, to comment on the evidence, important parts of evidence, stronger evidence, hearsay evidence, reliable evidence, to follow evidence, to hear the evidence, to offer no further evidence.

5. Определите, какие формы инфинитива выражают а) действие, одновременное с действием сказуемого; б) действие в процессе его развития одновременно с действием сказуемого; в) действие, которое предшествует действию, выраженному сказуемым; г) действие, продолжившееся в течение определенного периода времени и предшествовавшее действию, выраженному глаголом-сказуемым.

To have been supported, to have been hold, to be deciding, to have been allowed, to be tailoring, to have been demonstrating, to happen, to have broken, to have been charged, to be preparing, to be made, to have been called, to have been commenting, to have been proved, to have been considering, to have been reflected.

6. Переведите предложения с оборотом «Complex Subject». Подчеркните сложное подлежащее в предложениях.

1. Judge's summing-up seems to be fair and balanced.
2. The prosecution was expected to have charged the defendant.
3. The lawyer is known to support the case of the defendant.
4. The defendant seemed to have pled guilty.
5. The judge is likely to know a good deal about the defendant.
6. He is expected to be more lenient towards a defendant of good character.

7. Прочитайте и переведите текст.

TEXT

DEFENCE EVIDENCE, CLOSING SPEECHES AND JUDGE'S SUMMING-UP

The defence evidence is the fifth stage of a criminal trial. The defendant may give evidence, and his lawyer can call any witnesses to support his case. The procedure of giving evidence is the same both for the prosecution and for the defence – examination-in-chief (direct examination), cross-examination.

A defendant does not have to give evidence, but the law is that if he does not, the jury may “draw inferences” from his failure to do so. In other words, they may hold it against him when deciding whether he is guilty. Normally, when a defendant gives evidence he must be called as the

first defence witness. This is because he is entitled to sit in court throughout the trial, and it would not be right to allow him to call witnesses, and then tailor his evidence to the evidence they have given.

The cross-examination of a defendant can be the highlight of a criminal trial. This is the prosecution's chance to demonstrate the case against him very directly and personally.

What happens if a witness (whether for the prosecution or the defence) breaks his oath and tells lies? Any person who gives false evidence in court about an important matter may in theory be charged with the criminal offence of perjury but the prosecution for perjury is rare. People are usually charged with perjury only when they have conspired together in a carefully prepared plan to give false evidence.

The prosecution and defence closing speeches are the next stages of a criminal trial. The prosecution barrister will usually make a final speech to the jury explaining how, in the light of all the evidence which has been called, the prosecution says that their case is proved. In their closing speeches, barristers are allowed to comment on the evidence.

Judge's summing-up is the seventh stage of a criminal trial. There are two main parts to every summing-up:

- The judge must first tell the jury what the law is. This includes giving them "legal directions" that the prosecution must prove the case so that they are sure that the defendant is guilty. He must also give directions as to what the prosecution must prove in order to make them sure. If there are several defendants charged with a number of different offences, the judge must ensure that the jury understands what the law is in each case. If there are two or more charges, the judge must tell the jury to consider the charges separately, each on its own merits, and make a separate decision in each case. It is possible for the jury to find the defendant guilty of all charges, or guilty of theft, not guilty of assault, etc.
- The judge must remind the jury of the important parts of evidence, including the evidence called by the defence. He must do his best to give a fair and balanced summary of the facts. This does not mean that he should try to make the prosecution and the defence cases sound equally strong. Where it is clear that the evidence for one side is much stronger than the evidence for the other, a fair summing-up will reflect that.

8. Подберите к английским словам и словосочетаниям из текста русские эквиваленты.

1) to support the case	a) по существу дела
2) to draw inferences from smth	b) в свете доказательств
3) to tailor evidence	c) нарушить клятву
4) to be in the highlight of a criminal trial	d) заключительная речь судьи, напутственное слово присяжным
5) to break one's oath	e) подтверждать дело
6) to give false evidence	f) уголовное преследование за лжесвидетельство
7) judge's summing-up	g) делать выводы из чего-либо
8) legal directions	h) нарушить клятву
9) in the light of the evidence	j) иметь большое значение, быть в центре уголовного процесса
10) on the merits	k) представить ложные доказательства
11) prosecution for perjury	l) изменять показания
12) procedure of giving evidence	m) процедура представления доказательств
13) assault	n) нападение

9. Закончите предложения в соответствии с содержанием текста.

1. The defendant may _____
 - a) give evidence
 - b) call any witnesses to support his case
 - c) tailor his evidence to the evidence other witnesses have given.
2. If a witness gives false evidence in court, he _____
 - a) may be charged with the criminal offence of perjury
 - b) may not be charged with the criminal offence of perjury
 - c) may be charged with the criminal offence of perjury rarely.
3. While making a final speech to the jury the prosecution barrister _____
 - a) explains how their case is proved
 - b) calls any witnesses to support the prosecution
 - c) charges the defendant.
4. The judge must _____
 - a) tell the jury what the law is
 - b) explain that the prosecution proves the case
 - c) not remind the jury of the important parts of evidence.
5. In his summing-up the judge must do his best _____
 - a) to give a fair and balanced summary of the facts
 - b) to make the prosecution and defence cases sound equally strong
 - c) to reflect the stronger evidence for one side.

10. Выразите свое согласие/несогласие с утверждениями. Пользуйтесь моделями.

Models: It's true.
It's false.

1. If the defence doesn't give evidence in court, the jury may hold it against him when deciding whether he is guilty.
2. The cross-examination of the defendant is the prosecution's chance to demonstrate the case against him very directly and personally.
3. Any person who gives false evidence in court about an important matter may be charged with criminal offence of perjury.
4. If there are two or more charges, the jury must consider them separately.
5. It is impossible for the jury to find the defendant guilty of theft and assault.
6. Balanced summing-up means to make the prosecution and defence cases equally strong.
7. Judge's summing-up must be fair and reflect the evidence of both sides.

11. Укажите предложения, содержащие информацию о седьмой стадии судебного процесса.

1. The judge will usually start by reminding the jury that it is for the jury and only for the jury to decide questions of fact.
2. The judge's role is limiting to deciding legal issues.
3. The judge should not trespass into the jury's province and express obvious views on the facts or the witnesses, and certainly not on the result.
4. The judge repeats that it is for the prosecution to prove guilt, so that the jury is sure of it, and not for the defence to prove innocence.

5. The judge defines the law of the offence charged.
6. The judge summarizes what he sees as the main points of evidence.
7. The judge tells the jury that they must try to reach a unanimous verdict.

12. Работа в парах. Задайте своему коллеге вопрос, касающийся одного из процессуальных положений текста. После его ответа поменяйтесь ролями. Затем задайте ещё один заинтересовавший Вас вопрос другой группе студентов. После их ответа поменяйтесь ролями.

13. Прочитайте предложения. Определите, какие из них являются условными, а какие дополнительными предложениями. Переведите предложения на русский язык. Сформулируйте правило.

1. The jury may draw inferences if a defendant does not give evidence.
2. What happens if a witness breaks his oath and tells lies?
3. He tried to clarify if they had conspired together in a carefully prepared plan to give false evidence.
4. The judge must tell the jury to consider the charges separately if there are two or more charges.
5. The judge asked the witness if he had seen the defendant on the crime scene.
6. The investigator tried to understand if the crime had been committed by a left-handed man.
7. He will now be told in open court if the defendant has committed any crimes before, and if he has, his list of previous convictions will be read out.
8. If a sentence of imprisonment is passed, the convicted person will be escorted to prison.

14. а) Составьте предложения, используя приведенные словосочетания.

- 1) there are / the truth about juries is that / some very good ones and some bad ones;
- 2) who play a bigger part in the discussion than others / there will inevitably be some people / some who will understand / some who will tend to believe the police / the legal nuances and the facts better / and others who will be much more defence minded / some who will be more patient than others;
- 3) there is anything fundamentally unsatisfactory / but there is very little evidence / in the way juries reach their verdicts / anecdotal or otherwise;
- 4) through the evidence systematically / did not necessarily work / it was found that juries / it was given / in the order;
- 5) the burden of proof - the presumption of innocence- / they / did not always discuss / which is at the heart of the system;
- 6) did not always fully understand facts / explained to them / they;
- 7) according to the law / but in the end / often reached the right result / they usually got the facts right / and they / even if they had imperfectly understood it;
- 8) to reach a correct conclusion / their collective commonsense / what matters is not so much / should understand every nuance of the law and every factual detail / should in the end use / but that they / that every member of the jury.

б) Перескажите текст, пользуясь планом.

The text speaks about...
 Jurors do not discuss...
 Jurors use...

15. Переведите предложения на английский язык. Определите тип условного предложения.

1. Если подсудимый заявляет о своей невиновности или если он вообще ничего не заявляет, то суд переходит к формированию скамьи присяжных.
2. Если бы потребовалось, то обвинение представило бы и другие доказательства или выставило бы других свидетелей, чтобы парировать доводы защиты.
3. Если бы на вчерашнем слушании дела защите не представилось бы ответная попытка оспорить доводы и аргументы обвинения, то можно было бы сказать, что процесс носил инквизиционный, а не состязательный характер.
4. Если подсудимый признается виновным, то определяя наказание, судья может принять во внимание его прежние судимости или положительную характеристику личности осужденного.
5. Если признать, что преступление – это поведение, которое решением законодателя объявляется незаконным, то окажется, что такое определение не позволяет отличить преступление от причинения некоторых видов гражданско-правового вреда.
6. Если бы мы говорили о процессуальных различиях уголовного и гражданского права, то мы должны были бы отметить, что гражданское дело возбуждается судом не иначе как по инициативе частного лица (это может быть и юридическое лицо), обратившееся в суд, а судебное преследование по уголовному делу возбуждается государством от имени общества.
7. Если бы присяжные приняли во внимание напутственные слова судьи, их вердикт был бы другим.
8. Если бы мы считали, что любое преступление одновременно нарушает требование морали, то пришлось бы признать, что любой аморальный поступок является преступлением и должен преследоваться в судебном порядке. Так ли это?

16. Дебаты. Группа делится на две подгруппы. Одна комментирует первое утверждение, другая – второе. Затем группа определяет, чьи аргументы более убедительны и вырабатывает общую точку зрения. Пользуйтесь логико-грамматическими лексическими единицами.

In my opinion...	– По моему мнению
I think it's reasonable to believe that...	– Я думаю, есть все основания полагать, что...
I'm totally opposed to...	– Категорически не согласен...
On the one hand...	– С одной стороны
On the other hand...	– С другой стороны
However...	– Однако...
Furthermore...	– Кроме того, ...
In fact...	– На самом деле...
Nevertheless...	– Тем не менее
Now that we've considered it...	– Теперь, когда мы это обсудили...
I got you	– Я Вас понял
I see	– Понимаю
Let's clear it up	– Давайте внесем ясность в этот вопрос
You got me wrong	– Вы меня неправильно поняли
Keep to the point	– Не отклоняйтесь от темы
In short...	– Короче говоря...
To sum it up...	– Подводя итог сказанному... (В итоге...)

1. Jury trial is a very important symbol of democracy.
2. In recent times there have been strong moves to reduce the rights to trial by jury. That's right.

UNIT 4. VERDICT AND SENTENCE

1. Переведите предложения, обращая внимание на перевод усилительной конструкции.

1. It was Jane who committed a crime.
2. It was here where I met her.
3. It is the jury who must consider the verdict.
4. It is the judge who passes sentence in a case.

2. Прочитайте и переведите предложения. Подчеркните предложения, в которых "but" указывает на исключение или ограничение и переводится как «кроме», «за исключением».

1. No one saw him **but** me.
2. We had no choice **but** to obey.
3. There was nothing else to do **but** go.
4. What can we do **but** sit and wait?
5. This car's been nothing **but** trouble.
6. The judge had no choice **but** to impose punishment.
7. **But** me no **buts**.

3. Переведите словосочетания и составьте с ними предложения.

to consider a verdict; to announce a verdict to the court; to reach a majority verdict, to follow a verdict, verdict of not guilty; to pass a sentence; to make a record of the sentences; light sentence; sentence of imprisonment.

4. Переведите предложения, обращая внимание на перевод инфинитива и инфинитивных конструкций.

1. – Why doesn't he punish his boys when they disobey him?
– He often threatens to punish them but never actually does so.
2. – Why did you move your car?
– The policeman told me to move it.
3. He appears to have been killed with a blunt instrument.
4. The murderer is said to be hiding in the woods near your house.
5. He is said to have died a natural death.
6. I ask in order to defend my reputation.
7. I admit my accusation to be false.
8. Once the decision to prosecute has been taken, the suspect can be told of it in two ways: by a charge or a summons.
9. The summons is a formal document ordering the defendant to appear in court on a specified day to answer the charge against him.

10. The barrister for the prosecution goes on to summarize the evidence that he will call on behalf of the prosecution.
11. The regulations require me to wear this uniform.
12. They let us examine the documents.
13. The bank robbers made the cashier show them how to open the safe.

5. Прочитайте и переведите текст.

TEXT

VERDICT AND SENTENCE

The eighth stage of a criminal trial is verdict. It is the jury who must decide whether the defendant is guilty or not guilty. This decision is called their verdict. When the judge has finished his summing-up, the jury will go to their room, and consider their verdict in private. One of the jury is elected by them to be their foreman or a forewoman. He or she will act as their unofficial chairman and spokesman and will announce the jury's verdict to the court.

The last (the ninth) phase of the trial is a quite separate one. It is because the sentence of the court is the punishment which the court must decide to impose. It is the judge who passes sentence in a case. The jury plays no part in this.

Deciding what the punishment should be is always one of the most difficult aspects of the judge's duties. In some cases he may have no choice but to pass a particular sentence, but in most cases he does have discretion.

The judge must take into consideration all the circumstances of the offence itself. He will have heard about this in the course of the trial. In particular, he must consider the effect that the offence has had on the victim of the crime.

The judge is given information about the defendant's own personal circumstances. If the defendant has not pleaded guilty and there has been a trial, the judge is already likely to know a good deal about him – his age, family, and employment situation. He will now be told in open court if the defendant has committed any crimes before, and if he has, his list of previous convictions will be read out. He is naturally expected to be more lenient towards a defendant of good character who has been a law-abiding citizen than a defendant who has been in troubles many times.

The judge must give the lawyer representing the defendant the chance to plead for leniency (a light sentence).

If a sentence of imprisonment is passed, the Dock Officer, whose job is to guard a defendant in court, makes a record of the sentences and escorts him to prison at the end of the day.

6. Найдите в тексте эквиваленты словам и словосочетаниям.

- 1) решение присяжных, вердикт
- 2) приговор суда, наказание, конфискация
- 3) конфиденциально обсуждать вердикт
- 4) старшина присяжных
- 5) объявлять вердикт
- 6) назначать (налагать) наказание
- 7) иметь свободу действий
- 8) обстоятельства совершения преступления
- 9) принимать во внимание
- 10) список предыдущих судимостей
- 11) совершать правонарушения (преступления)

- 12) быть снисходительным (к подсудимому)
- 13) просить о снисхождении (к подсудимому)
- 14) законопослушный гражданин
- 15) конфликтовать с законом

7. Закончите предложения в соответствии с содержанием текста.

1. The jury must decide whether _____
 - a) a defendant is guilty or not guilty;
 - b) to consider their verdict publicly or in private;
 - c) to elect a foreman or a forewoman.
2. Deciding what the punishment should be the judge must _____
 - a) consider the effect that the offence has had on society;
 - b) know a good deal about the barrister for the prosecution;
 - c) consider the effect that the offence has had on the victim of the crime.
3. The judge may be more lenient towards the defendant if _____
 - a) the defendant has been a law-abiding citizen;
 - b) the defence lawyer pleads for leniency;
 - c) the defendant has been in troubles many times.

8. Вставьте пропущенные слова и словосочетания и письменно переведите текст.

1) to be influenced	6) under the supervision
2) interrupts	7) a majority verdict
3) to separate	8) are deliberating
4) are considering	9) be recorded
5) have attracted much publicity	10) follow the verdict

Jurors who _____ their verdict are always guarded by the court ushers, who must ensure that no one _____ or interferes with them while they _____. They may not discuss the case with anyone – even family or friends – for they must not allow their decision _____ by people who have not heard all the evidence as jurors.

If the jury needs a long time to reach their verdict, they may be allowed _____ and go home, and come back the next day to continue their decision. In some particularly serious or sensitive cases, which _____, they may have to spend the night in a hotel _____ of the ushers.

If a jury cannot reach _____ (the verdict must be one on which at least 10 of the jurors agreed), there may be a re-trial. If after a re-trial the second jury also disagrees, the prosecution will then drop the case and offer no further evidence. When this happens the judge will order that a verdict of not guilty _____, and the defendant will go free.

The judge must faithfully _____ and pass sentence for the crime or crimes which the jury decides the defendant has committed.

9. Укажите предложения, содержащие информацию девятой стадии уголовного процесса.

1. The prosecution provides the judge with information about the accuser's previous criminal records.

2. The document containing accuser's criminal record gives brief details of his education, employment and house circumstances – "evidence of character".
3. There's a medical or psychiatric report given to the judge, where the accuser's mental state may be relevant to the reasons for committing the crime or to the sentence to be imposed.
4. There is a plea in mitigation, delivered by the defendant's counsel.
5. The judge will look at the actual circumstances before deciding on the exact sentence.
6. The judge's important task is to decide whether or not to send the accused to prison.
7. The law tells the judge always to ask himself whether the crime is so serious that no sentence other than imprisonment will do.

10. Согласитесь или опровергните утверждения. Начните Ваше высказывание с одной из моделей.

Models: It is not true to fact – Это не соответствует действительности.

That's right – Совершенно верно.

I disagree with it – Я не согласен с этим.

1. Different criminal trials are held in accordance with different rules of procedures.
2. Every person who is accused of a crime must know what the accusation is like.
3. In a criminal trial the burden of proving the defendant's guilt is always on both the prosecution and the judge.
4. An adversarial system involves two sides, the prosecution and defence, as opponents fighting the case out before the jury and the public.

11. Прокомментируйте одно из высказываний упражнения 10.

12. Переведите предложения на английский язык.

1. Правосудие по уголовному делу в Российской Федерации осуществляется только судом. (УПК. Статья 8)
2. Никто не может быть признан виновным в совершении преступления и подвергнут уголовному наказанию иначе как по приговору суда. (УПК. Статья 8)
3. Обвиняемый считается невиновным, пока его виновность в совершении преступления не будет доказана. (УПК. Статья 14)
4. Подозреваемый или обвиняемый не обязан доказывать свою невиновность. Бремя доказывания обвинения и опровержения доводов, приводимых в защиту подозреваемого или обвиняемого, лежит на стороне обвинения. (УПК. Статья 14)
5. Все сомнения в виновности обвиняемого толкуются в пользу обвиняемого. (УПК. Статья 14)
6. Обвинительный приговор не может быть основан на предположениях. (УПК. Статья 14)
7. Уголовное судопроизводство осуществляется на основе состязательности сторон. (УПК. Статья 15)
8. Функции обвинения, защиты и разрешения уголовного дела отделены друг от друга и не могут быть возложены на один и тот же орган или одно и то же должностное лицо (УПК. Статья 15).
9. Суд не является органом уголовного преследования, не выступает на стороне обвинения или стороне защиты. (УПК. Статья 15)
10. Стороны обвинения и защиты равноправны перед судом. (УПК. Статья 15)

13. Блиц-опрос. Группа назначает ведущего, который называет одну из цифр от 1 до 28 и выбирает студента, отвечающего, к какой стадии судебного процесса относится ситуация, обозначенная этой цифрой. За каждый правильный ответ назначается один балл, за неправильный – снимается один балл. Побеждают набравшие большее число баллов. (Число вопросов, заданных группе, должно нацело делиться на число студентов).

1. “Members of the jury, this defendant is charged with three offences: theft, assault, and possessing an offensive weapon that is a large lock-knife. The prosecution says that on Saturday 31 December 2005 he entered a pet shop where he appeared to be acting suspiciously.”
2. “It will be for you to decide what actually happened in this case. You must consider each of these charges separately. In each case before you can convict, the prosecution must make you sure that the defendant is guilty. I will now call the evidence before you.”
3. “Jurors who are chosen to serve on a jury will take the oath on the Bible, Muslims on the Koran. If the jurors have no religious beliefs, they will be asked to affirm and permitted to make a solemn promise to give a true verdict according to the evidence.”
4. At trial, the judge ruled the jury that an alibi notice was necessary in respect of the possible evidence.
5. W and F were tried on four joint counts of handling stolen goods. The jury retired at 1.00 p.m. on Thursday and was given the majority direction at 3.35 p.m. At 4.36 p.m., they were called back and asked whether they had reached any verdicts. They returned guilty verdicts on counts 1-3 in respect of F. When asked if they were likely to reach verdicts on the remaining matters, the forewoman said “we are one away from having a majority”. The jury was released for the night.
6. An application by the defence that the video-recorded interview be excluded, on the ground that the substance of her evidence was hearsay because it came from what she had been told by her mother, had been refused by the judge.
7. Thomas has been charged with murder. He is pleading “not guilty” to the charge.
8. The judge in his summing-up failed to give the jury the proper warning that, even if they concluded that the alibi was false, that did not of itself entitle them to convict the defendant. The prosecution must still make them sure of his guilt.
9. 14 months’ imprisonment for aggravated vehicle taking six months consecutive for dangerous driving and six months consecutive to both terms for driving with excess alcohol (total 26 months); disqualified from driving for two years.
10. At the conclusion of the evidence, there was a submission of no case to answer in respect of the counts of murder and attempted murder.
11. The judge directed the jury on recent possession, and added: “I told you that you are entitled to draw certain inferences from recent possession but it is for you to (say) how recent is recent. What might be recent possession, for example, for a painting worth a couple of million pounds would, you might think, be very different from what would be recent possession of a packet of cigarettes. It depends upon the property, does it not, and it depends upon the circumstances.”
12. Four years’ imprisonment disqualified from driving for five years and ordered to take an appropriate driving test.
13. The defendant pleaded guilty to two offences of unlawful wounding, two of taking a vehicle without consent, one of burglary and one of false imprisonment.
 - So, Mr. Smith, you took Ms. Jones to a movie that night, didn’t you?
 - Objection, Your Honour, counsel is leading the witness.
 - I’ll rephrase the question. Mr. Smith, where did you go that night? Who did you go with?
 - I know Harry well enough to know that two beers usually make him drunk, so I’m sure he was drunk that night too.

- Your Honour, the witness has no firsthand knowledge of Harry’s condition that night.
- 14. The party calling the witness is not allowed to ask questions that are designed to lead the witness into giving a particular answer. Another important rule is the rule against allowing hearsay evidence. Witnesses may talk about what they saw and heard, but not about what other people may have told them.
- 15. The judge tells the jury what the law is. He gives them "legal directions". He must also give directions as to what the prosecution must prove in order to make them sure.
- 16. The judge reminds the jury of the important parts of evidence. He does his best to give a fair and balanced summary of the facts.
- 17. Jurors who are guarded by the court ushers, who must ensure that no one interrupts or interferes with them while they are deliberating.
- 18. The judge takes into consideration all the circumstances of the offence itself. He considers the effect that the offence has had on the victim of the crime. The judge is given information about the defendant's own personal circumstances.
- 19. The defence argued that the effect of the Criminal Law Act 1967, s. 6(2) was that on an indictment for murder a person might be found not guilty of murder but guilty either of manslaughter or of causing grievous bodily harm with intent.
- 20. At the trial counsel for the company submitted that there was no case to answer the judge rejected the submissions, whereupon the company changed its plea to guilty.
- 21. At the first trial Mrs. Freestone gave evidence implicating Miss C. She had been in a cell with her and Miss C had told her that the deceased “had got what he deserved” and that her boyfriend and friend “had gone and waited for him and they had sorted him out”.
- 22. Colk pleaded guilty, on the basis that he had not personally used any violence to the victim. The other defendants pleaded not guilty.
- 23. The trial judge directed the jury to put the question of diminished responsibility out of their minds since it had not been put forward as a defence and there was no evidence to substantiate it.
- 24. At the start of the trial, defence counsel submitted that evidence as to those conversations should be excluded.
- 25. At the end of the defence case prosecuting counsel applied for and obtained leave to adduce evidence in rebuttal relating to entries on all the till rolls.
- 26. She said that on the day of the search, she had not heard C shout anything and was unaware of the presence of the drugs in the flat. Defence counsel posed the question for the jury—if a tenant is visiting infrequently, does she have control simply through knowledge?
- 27. At the defendant’s trial for burglary, the prosecutions sought to put before the jury notes of two interviews which the police claimed had been made contemporaneously but neither of which had been signed by the defendant. The defendant’s case was that there had only been one interview, at which no notes had been taken, and that the allegedly contemporaneous notes had in fact been fabricated.
- 28. The judge submitted that neither the seriousness of the offence nor the danger to the public justified a sentence as long as 14 years. The judge came to the conclusion that the sentence was somewhat too long. A distinction should be made between false imprisonment for a period of three-a-half hours, and other offences of even greater seriousness. Some credit was due for the guilty plea. Keeping in mind the element of public protection, the judge would substitute a sentence of 12 years for the sentence of 14 years.

UNIT 5. MOCK TRIAL

1. Прочитайте и переведите текст. Выпишите из текста фразы, которые используются прокурором, адвокатом и судьей во время судебного процесса.

TEXT

SIMPLIFIED RULES OF EVIDENCE

To assure each side a fair trial, certain rules have been developed to govern the types of evidence that may be introduced, as well as the manner in which evidence may be presented. These rules are called "the rules of evidence". The prosecution lawyer, the defence lawyer and the judge are responsible for enforcing these rules. Before the judge can apply a rule of evidence, the lawyers must ask the judge to do so. Lawyers do this by making "objections" to the evidence or procedure employed by the opposing side. When an objection is raised, the lawyer who asked the question that is being challenged will usually be asked by the judge why the question was not in violation of the rules of evidence.

The rules of evidence used in real trials can be very complicated. A few of the most important rules of evidence have been adapted for mock trial purposes.

Rule 1. Leading Question

A "leading" question is one that suggests the answer desired by the questioner, usually by stating some facts not previously discussed and then asking the witness to give a yes or no answer. Leading question may not be asked on direct examination (examination - in - chief). They may be used on cross-examination.

Example: "So, Mr. Smith, you took Ms. Jones to a movie that night, didn't you?"

Objection: "Objection, Your Honour, counsel is leading the witness."

Possible Response: "Your Honour, leading is permissible on cross-examination," or "I'll rephrase the question." For example, the question can be rephrased: "Mr. Smith, where did you go that night? Who did you go with" (This would not suggest the answer the attorney desires.)

Rule 2. Narration

Narration occurs when the witness provides more information than the question called for. Witnesses' answers must respond to the questions. A narrative answer is objectionable.

Example: "What did you do when you reached the front door of the house?"

Witness - "I opened the door and walked into the kitchen. I was afraid that he was in the house - you know, he had been acting quite strangely the day before."

Objection: "Objection, Your Honour, the witness is narrating."

Response: "Your Honour, the witness is telling us a complete sequence of events."

Rule 3. Relevance

Questions and answers must relate to the subject matter of the case; this is called "relevance." Question or answers that do not relate to the case are "irrelevant." Irrelevant questions or answers are objectionable.

Example: (In a traffic accident case) "Mrs. Smith, how many times have you been married?"

Objection: "Your Honour, this question is irrelevant to this case."

Response: "Your Honour, this series of questions will show that Mrs. Smith's first husband was killed in an auto accident, and this fact has increased her mental suffering in this case."

Rule 4. Hearsay

"Hearsay" is something the witness has heard someone said outside the courtroom. Also, any written statement made outside the courtroom is hearsay. Hearsay evidence is objectionable. However, there are exceptions to the hearsay rule for purposes of the mock trial. If an exception applies, the court will allow hearsay evidence to be introduced. In a mock trial, hearsay evidence is allowed when the witness is repeating a statement made directly to the witness by one of the witnesses in the case. Hearsay is also allowed if one of the witnesses is repeating a statement made by an individual who is no longer alive. Note that this exception to the hearsay rule does not extend to witness testimony about what another person heard a witness said. This is "double hearsay."

Example: "Mary, the plaintiff, told me that Harry, the defendant, was drunk the night of the accident".

Objection: "Objection, Your Honour, this is double hearsay."

Response: "Your Honour, since Harry is the defendant, the witness can testify to a statement he heard Harry made."

Rule 5. Firsthand Knowledge

Witnesses must have directly seen, heard, or experienced whatever is they are testifying about. A lack of firsthand knowledge is objectionable.

Example: "I know Harry well enough to know that two beers usually make him drunk, so I'm sure he was drunk that night too."

Objection: "Your Honour, the witness has no firsthand knowledge of Harry's condition that night."

Response: "The witness is just generally describing her usual experience with Harry."

Rule 6. Opinions

Unless a witness is qualified as an expert in the appropriate field, such as medicine or ballistics, the witness may not give an opinion about matters relating to that field. Opinions are objectionable unless given by an expert qualified in the appropriate field. As an exception to this rule, a lay witness may give an opinion based on common experience.

Example: (Said by a witness who is not a doctor) "The doctor put my cast on wrong. That's why I have a limp now."

Objection: "Objection, Your Honour, the witness is giving an opinion."

Response: "Your Honour, the witness may answer the question because ordinary persons can judge whether a cast was put on correctly."

Rule 7. Opinions on the Ultimate Issue

Witnesses, including experts, cannot give opinions on the ultimate issue of the case: the guilt or innocence of the defendant or the liability of the parties. These are matters for the judge and the jury to decide. Opinions on the ultimate issue in a case are objectionable.

Example: "I believe that Mr. Smith was negligent in driving too fast in this case."

Objection: "Your Honour, the witness is giving an opinion on the ultimate issue - the negligence of Mr. Smith."

Response: "The witness is commenting that the driver was speeding. This is not the ultimate issue in this case."

Rule 8. Additional Rules of Evidence

- Objections during the testimony of a witness must be made only by the direct examining and cross-examining attorney for that witness.
- Cross-examination is not limited to the scope of direct questioning.

- A short redirect examination, limited to no more than two questions, will be allowed following cross-examination, if an attorney desires. Questions on redirection are limited to the scope of the cross-examination.

2. Работа в парах. Ответьте на вопросы. Объясните свою позицию в аудитории.

- a) Do the examples help you to understand the rules better?
- b) What can you say about the responses? Do you think they are justifiable? Can they help to overrule the objection?
- c) What response could you give in each situation?
- d) Could you give your own examples to illustrate each case?

3. Работа в мини-группах. Прочитайте и переведите текст. Разыграйте сцены: а) представления вещественных доказательств; б) способов дискредитации свидетеля или его показаний стороной обвинения (стороной защиты); в) установления профессионализма судебного эксперта.

TEXT

RULES OF CRIMINAL PROCEDURE

Procedure 1. Introduction of Documents or Physical Evidence

Sometimes the parties wish to offer as evidence letters, affidavits, contracts, or other documents, or even physical evidence such as a murder weapon, broken consumer goods, etc. Special procedures must be followed before these items can be used in trial.

Step 1: Introducing the Item for Identification

- a. An attorney says to the judge, "Your Honour, I wish to have this (letter, document, item) marked for identification as (Plaintiff's Exhibit A, Defence's Exhibit A, etc.)."
- b. The attorney takes the item to the clerk, who marks it appropriately.
- c. The attorney shows the item to the opposing counsel.
- d. The attorney shows the item to the witness and says, "Do you recognize this item marked as Plaintiff's Exhibit A?"
Witness: "Yes."
Attorney: "Can you, please, identify this item?"
Witness: "This is a letter I wrote to John Doe on September 1." (Or witness gives other appropriate identification.)
- e. The attorney may then proceed to ask the witness question about the document or item.

Step 2. Moving the Document or Item into Evidence.

If the attorney wishes the judge or the jury to consider the document or item itself as part of the evidence and not just as testimony about it, the attorney must ask to move the item into evidence at the end of the witness examination. The attorney proceeds as follows:

- a. The attorney says, "Your Honour, I offer this (document / item) into evidence as Plaintiff's Exhibit A, and ask that the court admits it."
- b. Opposing counsel may look into the evidence and make objections at this time.
- c. The judge rules on whether the item may be admitted into evidence.

Procedure 2. Impeachment

On cross - examination, an attorney wants to show that the witness should not be believed. This is best accomplished through a process called "impeachment", which may use one of the following tactics: (1) asking questions about prior conduct of the witness that makes the witness' truthfulness doubtful (e.g., "Isn't it true that you once lost a job because you falsified expense reports?"); (2) asking about evidence of certain types of criminal convictions (e.g., "You were convicted of shoplifting, weren't you?"); or (3) showing that the witness has contradicted a prior statement, particularly one made by the witness in an affidavit. Witness statements in the Mock Trials Materials are considered to be affidavits.

In order to impeach the witness by comparing information in the affidavit to the witness' testimony, attorneys should use this procedure:

Step 1. Repeat the statement the witness made on direct or cross - examination that contradicts the affidavit.

Example: "Now, Mrs. Burke, on direct examination you were out of town on the night in question, didn't you?" (Witness responds, "Yes.")

Step 2. Introduce the affidavit for identification, using the procedure described in Procedure 1.

Step 3. Ask the witness to read from his or her affidavit the part that contradicts the statement made on direct examination.

Example: "All right, Mrs. Burke, will you read paragraph three?" (Witness reads, "Harry and I decide to stay in town and go to the theatre.")

Step 4. Dramatize the conflict in the statements. (Remember, the point of this line of questioning is to demonstrate the contradiction in the statements, not to determine whether Mrs. Burke was in town or out of town.)

Example: "So, Mrs. Burke, you testified that you were out of town on the night in question, didn't you?" "Yes." "Yet, in your affidavit you said you were in town, didn't you?" "Yes."

Procedure 3. Qualifying an Expert

Only a witness who is qualified as an expert may give an opinion as to scientific, technical, or other specialized knowledge in the area of his/her expertise. (Note: A lay witness may give an opinion about something related to one's common experience (see Rule 6).) Expert cannot give opinions on the ultimate issue of the case.

Before an expert gives his/her expert opinion on a matter, the lawyer must first qualify the expert. First, the lawyer must lay a foundation that shows the expert is qualified to testify on issues related to that expert's field of expertise. To lay a foundation, the lawyer asks the expert to describe factors such as schooling, professional training, work experience and books he/she has written that make a person an expert regarding a particular field. Second, once the witness has testified about his/her qualifications, the lawyer asks the judge to qualify the witness as an expert in a particular field.

Example: The wife of Harold Hart is suing Dr. Smith and General Hospital for malpractice. She claims they did not treat Mr. Hart for an obvious heart attack when he was brought to the hospital. Mrs. Hart's lawyer is examining expert witness, Dr. Jones:

Q: Dr. Jones, what is your occupation?

A: I am a heart surgeon. I am Chief of Staff at the Howard University Medical Center.

Q: What medical school did you attend?

A: I graduated from Georgetown Medical School in 1978.

Q: Where did you do your internship?

A: I did a two year internship in cardiology at John Hopkins University from 1978 - 1980.

Q: Did you afterwards specialize in any particular field of medicine?

A: Yes, I specialized in heart attack treatment and heart surgery.

Q: Have you published any articles or books?

A: I wrote a chapter in a medical text on heart surgery procedures after heart attacks.

Q: Describe the chapter.

A: I set out the steps for identifying heart attacks and doing open heart surgery.

Q: What professional licenses do you have?

A: I am certified by the D.C. Board of Medical Examiners to practice medicine in D.C.

Attorney #1: Your Honour, I ask that Dr. Jones be qualified as an expert in the field of medicine.

Judge: Any objection?

Attorney #2: We object. No foundation has been laid regarding Dr. Jones's ability to render an opinion as to all fields of medicine.

Judge: Objection sustained. Dr. Jones' expertise seems to be limited to certain areas of medicine.

Attorney #1: Thank you, your Honour. We ask that Dr. Jones be qualified as an expert in the field of heart surgery.

Judge: Any objection?

Attorney #2: No, your Honour.

Judge: Let the record reflect that Dr. Jones is qualified to testify as, an expert in the field of heart surgery.

Once qualified, an expert may give opinions relating only to the expert's area of expertise. That is, an expert cannot give an opinion in an area outside his/her expertise.

Example: (Dr. Jones has been qualified as an expert on heart surgery.)

Q: Dr. Jones, what is your opinion as to Mr. Hart's cause of death?

A: The patient suffered a massive heart attack caused by clogged arteries.

Q: Dr. Jones, in your opinion was the patient also suffering from a rare lung disease transmitted through contact with the North American mongoose as the defence contends?

Objection: The witness is testifying outside her area of expertise.

Judge: Sustained. Please, confine your opinion to matters related to care and treatment of the heart.

Q: Dr. Jones, in your opinion, how should the patient's doctors have treated him?

A: They should have recognized that the patient was having a heart attack based on his chest pains, purple face, difficulty breathing, and numbness in his left arm. They should have given him the proper medication and treated him in the emergency room right away.

Q: Who was at fault in this matter?

A: Dr. Smith and General Hospital were definitely negligent.

Objection: The witness is testifying to the ultimate issue of the case, which is whether Dr. Smith and General Hospital are liable for malpractice. That is a question of fact for the judge (or jury, when the case is tried before a jury) to decide.

Judge: Sustained.

4. Прочитайте и переведите текст 3. Выступите как участники игрового судебного процесса. Разыграйте роли судьи, подсудимых, прокурора, адвоката, свидетелей защиты и свидетелей обвинения, судебных экспертов стороны защиты и стороны обвинения, присяжных. Вы можете по своему усмотрению добавить факты и ситуации, относящиеся к этому делу.

TEXT

CASE

On August 22, 1990, shortly after midnight, Jaeger called 911 from his home and reported that his nineteen-year-old live-in girlfriend, Mary Barndt, had shot herself. When police and paramedics arrived, they found Mary partially clothed and lying in the kitchen. A .22 caliber pistol was

lying pretty close to her right foot, and an empty shell casing was found between her ankles. The police also found a bra next to her body.

Mary was unconscious and had a weak pulse when the paramedics began to treat her injuries. The bullet entered her neck just above her clavicle and had struck her subclavicular artery, causing severe internal bleeding. In an attempt to preserve evidence, one of the police officers taped brown paper bags on Mary's hands. She died shortly after arriving at the hospital.

Jaeger told one of the officers that when he arrived home from work at about 7:30 p. m., the house appeared empty. However at 8:30 p. m., he discovered Mary's thirteen-month-old daughter alone in a back bedroom. He admitted that he was angry and upset that Mary had left the child unattended. He called Judy Clark, Mary's mother, in an attempt to locate Mary, but she did not know Mary's whereabouts. Jaeger also told police that when Mary finally returned home at around 12:10 a.m., he told her that he was tired of her lying and wanted her out of the house by the next day. He said that he then called her mother again and that after a struggle, Mary reluctantly took the phone. He asserted that after Mary began talking to her mother, he threw a blanket and pillow into the hall for her and he then went to bed. He stated that he later awoke to a bang and that he found Mary lying unconscious on the kitchen floor. He maintained that she shot herself.

However, other evidence contradicted Jaeger's story. The police swabbed both Jaeger's and Mary's hands for gunshot residue ("GSR"). These swabs were then taken to the state crime lab and examined by two separate experts. Both experts concluded that the swabs taken from Jaeger's hands contained elements of GSR while the swabs taken from Mary's hands did not. Thus the GSR evidence suggested that Jaeger, not Mary, had fired a gun. In addition to the GSR evidence, Dr. Edward A. Leis, the Deputy Chief Medical Examiner, performed an autopsy on Mary's body. The autopsy showed that Mary died from a gunshot wound to the neck. Moreover, on the basis of the autopsy results, Dr. Leis opined that Mary's death was a homicide, not a suicide.

The State charged Jaeger with second degree murder. However, at the preliminary hearing on that charge, the magistrate dismissed the information for lack of probable cause. The State appealed from the dismissal, and the court of appeals reversed. The central issue at Jaeger's trial was whether Mary's death was a suicide or a homicide. During trial, Jaeger sought to admit certain medical records from Valley Mental Health's Adolescent Residential Treatment & Education Center ("ARTEC"). Mary was a resident of ARTEC from 1986 to 1987 because she was ungovernable, ran away from home, and abused alcohol and drugs. The ARTEC records contained statements Mary allegedly made admitting that she had attempted suicide in the past but denying any suicidal ideation while a resident of the program. The State objected to the admission of the records; the court sustained the objection, ruling that they were irrelevant.

Jaeger was ultimately convicted as charged and was sentenced to serve a term of five years in prison. Thereafter, he moved for a new trial on the basis that the trial court erroneously excluded evidence of Mary's past suicide attempt. The court denied the motion. Jaeger now appeals.

UNIT 6. TEST YOURSELF

1. Выберите правильный вариант ответа.

1. The adversarial system of justice means that _____
 - a) judges investigate the cases before them
 - b) judges reach the decisions based only on the evidence presented to them by the parties to the dispute
 - c) judges investigate the case and collect evidence
2. Criminal proceeding is brought by _____
 - a) the police

- b) any private person
- c) prosecution

3. In the jury trial the jury _____

- a) are witnesses, summoned for their local knowledge
- b) are impartial judges of the facts of the case
- c) apply law to the facts of the case

4. A defendant has the right to challenge any of the jurors if _____

- a) he can give a good reason for the objection
- b) he could give a good reason for the objection
- c) he had been able to give a good reason for the objection

5. The indictment is a document which contains _____

- a) charges
- b) the appropriate punishment
- c) the offences
- d) a good reason for objecting jurors.

6. If a witness gives false evidence in court, he _____

- a) may be charged with the criminal offence of perjury
- b) may not be charged with the criminal offence of perjury
- c) may be charged with the criminal offence of perjury rarely.

7. Deciding what the punishment should be the judge must _____

- a) consider the effect that the offence has had on society;
- b) know a good deal about the barrister for the prosecution;
- c) consider the effect that the offence has had on the victim of the crime.

2. Соедините глаголы с соответствующими существительными. Переведите получившиеся словосочетания на русский язык.

1. to bring	a. proceedings
2. to investigate	b. the prosecution
3. to institute	c. action
4. to give	d. an offence
5. to conduct	e. a criminal
6. to punish	f. an offence
7. to commit	g. a verdict

3. Вставьте пропущенные предлоги.

in to with of for after by between without from at

How does the conduct __1__ a civil trial differ __2__ that __3__ a criminal trial? __4__ fact they are very similar. A civil trial begins __5__ the claimant's lawyer 'opening' his case __6__ the judge (making an opening speech) and calling witnesses, as __7__ a criminal trial; and the defendant's lawyer then calls his witnesses. There are three main differences __8__ the procedures __9__ civil and criminal trials:

__10__ a civil trial the judge normally sits alone (__11__ jury) to try the case. Juries are not involved at all.

__12__ criminal trials the prosecution lawyer makes the opening speech __13__ the jury and the defence lawyer makes the final speech, but __14__ a civil trial the claimant has the first and the last word. Therefore, __15__ all evidence has been called the defendant's lawyer will make his speech first, followed __16__ the closing speech __17__ the claimant's lawyer.

__18__ the end __19__ a civil trial the judge doesn't give a verdict; he gives a judgment __20__ which he set out 'findings __21__ the fact' (tells the parties what he believes actually happened) and gives reasons __22__ his decisions as __23__ who has won the case.

4. Переведите слова и словосочетания на английский язык.

1. вести гражданский (уголовный) процесс
2. истец (сторона, заявляющая требование)
3. вызывать свидетеля
4. ответчик
5. рассматривать дело
6. сторона обвинения
7. сторона защиты
8. доказательства по делу
9. адвокат истца
10. адвокат ответчика
11. вынести вердикт
12. выиграть дело

5. Напишите развернутый ответ на вопрос: "What are three most important principles in ensuring fair trial for a defendant in a criminal case?"

GLOSSARY

1. charge – обвинять, обвинение

~ on the merits – обвинение по существу дела

on a charge of – по обвинению (в преступлении)

bring a ~ - выдвигать обвинение

consider ~s – рассматривать все пункты обвинения

dismiss a ~ - отклонить обвинение

face a ~ - быть обвиненным, подвергнуться обвинению

hold a ~ - поддерживать обвинение

make a ~ - выдвигать обвинение

2. convict – осудить (признать виновным); осужденный

convict of the crime – осудить за совершение преступления

conviction – осуждение, признание подсудимого виновным

3. jury – присяжные заседатели, состав присяжных, коллегия присяжных

~ for trial – присяжные, подобранные для рассмотрения судебного дела

trial by ~ - суд присяжных

juror – присяжный заседатель, член состава присяжных

biased ~ - предубежденный присяжный

4. offence – преступление, правонарушение, посягательство

~ against the person – преступление против личности
~ against the property – преступление против собственности
~ against the state – преступление против государства
alleged ~ - предполагаемое преступление
civil ~ - гражданское правонарушение
criminal ~ - уголовное преступление
indictable ~ - преступление, подлежащее судебному рассмотрению по обвинительному акту

5. plead – заявлять (в суде), отвечать на обвинение

~ guilty – заявлять о своей виновности
~ not guilty – заявлять о своей невиновности
~ guilty to the charge – признать себя виновным в совершенном преступлении
~ for leniency – просить о снисхождении

6. sentence – приговор (в уголовном судопроизводстве), наказание, приговаривать к наказанию

give a ~ - вынести приговор, назначить наказание
pass a ~ - вынести приговор, назначить наказание
pronounce a ~ - вынести приговор, назначить наказание
~ smb to imprisonment – приговорить кого-либо к тюремному наказанию
heavy ~ суровый приговор
light ~ - легкое наказание
mild ~ - мягкий приговор
under a ~ for a crime – по приговору суда за совершенное преступление

7. to testify – давать показания, свидетельствовать

to testify against smb – давать показания против к-л
to testify on behalf of smb – давать показания в защиту к-л

8. testimony – показание свидетеля

expert ~ – заключение эксперта
false ~ – ложные показания
~ for the defense – показания свидетеля защиты
~ for the prosecution – показания свидетеля обвинения

9. trial – судебное разбирательство, судебный процесс, слушание дела по существу (судом первой инстанции)

~ by a court – рассмотрение дела судом без участия присяжных
~ by jury – рассмотрение дела судом присяжных
face a ~ - предстать перед судом
hold a ~ - вести судебный процесс
criminal ~ - уголовное судопроизводство
fair ~ справедливое судебное разбирательство

10. verdict – вердикт, решение коллегии присяжных о виновности или невиновности подсудимого

~ of not guilty – вердикт о невиновности
guilty ~ вердикт о виновности
consider a ~ - рассматривать вердикт
majority ~ - вердикт, вынесенный большинством голосов присяжных заседателей
reach a ~ вынести вердикт

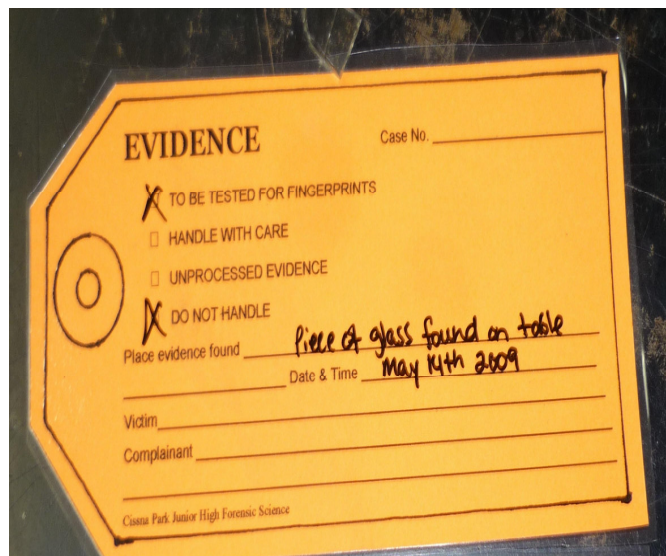
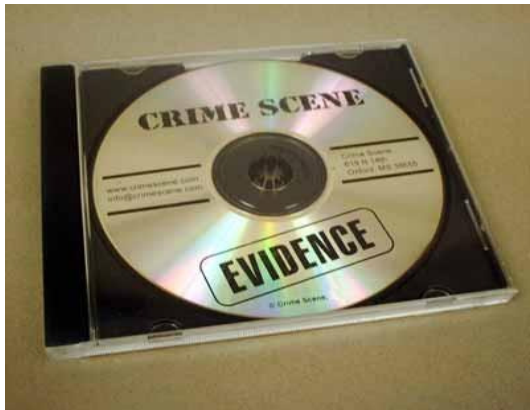
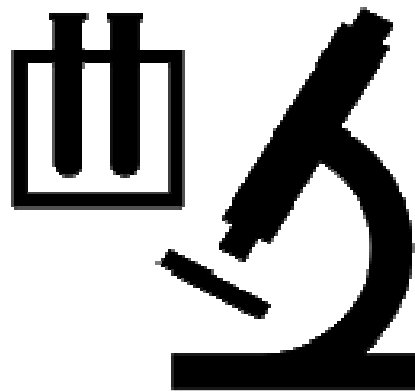
MODULE 9

FORENSIC SCIENCE

UNIT 1. WHAT IS FORENSIC SCIENCE?

1. Посмотрите на рисунки и ответьте на вопросы.

www.zdmi.pl



1. What kind of work is usually done with a microscope?
2. What forms of evidence do you know?
3. Where is evidence examined?
4. Who works in the laboratory?
5. Would you like to work in the laboratory?
6. Are you a student of science?
7. Are you addicted to solving problems, puzzles and mysteries?
8. Do you believe that justice must be done, no matter what happens?

9. Do you believe in the scientific method of observation, analysis, experiment and conclusion?
10. Do you know the difference between scientists and forensic scientists?

2. Прочитайте высказывания выдающихся ученых о науке и дайте свой комментарий к каждому из них. Начните свой ответ с одной из моделей.

Models:

It doesn't make sense – Мне это не кажется логичным.

It is true to fact – Это соответствует действительности.

There is no denying it – Это нельзя отрицать.

That may be true but I have to see the bigger picture – Это может быть и правда, но надо смотреть шире.

That's only one side of the problem – Это только одна сторона проблемы.

Most probably – По всей вероятности ...

1. The important thing in science is not so much to obtain new facts as to discover new ways of thinking about them. ~William Lawrence Bragg (*the Australian physicist*)
2. Science is built up of facts, as a house is built of stones; but an accumulation of facts is no more a science than a heap of stones is a house. ~Henri Poincaré, *Science and Hypothesis*, 1905
3. A science is any discipline in which the fool of this generation can go beyond the point reached by the genius of the last generation. ~Max Gluckman, *Politics, Law and Ritual*, 1965
4. The scientist is not a person who gives the right answers; he's one who asks the right questions. ~Claude Lévi-Strauss, *Le Cru et le cuit*, 1964
5. Facts are not science - as the dictionary is not literature. ~Martin H. Fischer (*American physician*)
6. The essence of knowledge is, having it, to apply it.~ Confucius, 551-479BC

3. Прочитайте определения понятий «ученый» и «судебный эксперт». Выпишите в таблицу ключевые слова, описывающие суть данных понятий. Составьте с ними предложения.

A **scientist**, in a broad sense, is one engaging in a systematic activity to acquire knowledge. In a more restricted sense, a scientist is an individual who uses the scientific method. Scientists perform research toward a more comprehensive understanding of nature, including physical, mathematical and social realms.

Forensic scientists are scientists, but when they apply their scientific knowledge to assist juries, attorneys, and judges in understanding the physical evidence of a criminal case, they become forensic scientists. The word “forensic” applies to the use of scientific methods and techniques to investigate a crime and help to resolve legal issues in a court of law. Forensic science literally means science applied to public affairs or social justice.

	KEY WORDS
SCIENTISTS	a systematic activity, knowledge. ...
FORENSIC SCIENTISTS	scientific knowledge, a criminal case, ..

4. Прочитайте текст и ответьте на вопросы.

1. How old is forensic science?
2. How do you understand the word “forensic”?

One of the first accounts of forensic science being used to solve a crime occurred in 44 B.C., when Julius Caesar was stabbed to death by Roman senators. A physician named Antistius was called to study the corpse of Julius Caesar. Upon examination of the body, Antistius concluded who was responsible for the crime, and the guilty senators were sentenced to death. The physician made his fateful announcement in the Roman forum, giving forensic (forensic – from the Latin forensis, “belonging to the forum”) science its name.

Повторение грамматики: Местоимения **this / these, that / those**

Местоимения **this** (этот) и **that** (тот) имеют формы мн.числа, соответственно: **these** (эти) и **those** (те). Если эти местоимения в предложении выполняют функцию подлежащего, то при грамматическом анализе предложения нужно искать сказуемое в соответствующем числе. В этом случае **these** обычно переводится - *они*.

Местоимения **that / those** употребляются также как слова-заместители тех существительных, которые были употреблены ранее. Главным признаком такого употребления является наличие предлога (обычно **of**) или причастия после **that / those**.

Слово **that** также может являться относительным местоимением или союзом со значением "что / который / то, что", если оно находится перед придаточным предложением.

5. Переведите предложения, обращая внимание на функцию местоимения в предложении.

1. Forensic science describes the science of associating people, places, and things involved in criminal activities; **these** scientific disciplines assist in investigating and adjudicating criminal and civil cases.
2. Several departments in the federal government have forensic science labs. **These** include the Departments of Justice and the Treasury.
3. Each state has its own forensic science laboratory system. **These** include labs run by state or local government.
4. The discipline has two parts to it divides neatly, like the term **that** describes it.
5. High school or university teams **that** compete in debates or public speaking are called "forensics".
6. The largest area of forensic science is criminalistics, which includes the physical evidence **that** commonly occurs at crime scenes.
7. It is now necessary to have an armoury of complementary investigative tools to crack the hardest cases. **These** guarantee **that** the most sophisticated crimes are uncovered, the perpetrators are revealed and case winning evidence is assured.

6. Прочитайте и переведите текст.

TEXT

FORENSIC SCIENCE

The Oxford English Dictionary lists one of the first uses of the phrase "forensic science" to describe "a mixed science." The early days of forensic science could certainly be called mixed, when science served justice by its application to questions before the court. Forensic science has grown as a profession from the early 1880s and into a science in its own right in the early twenty-first century. Given the public's interest in using science to solve crimes, it looks as if forensic science has an active, even hectic, future.

Forensic science describes the science of associating places, things and people, involved in criminal activities; these scientific disciplines assist in investigating and adjudicating criminal and civil cases. The discipline has two parts to it divides neatly, like the term that describes it.

Science is the collection of systematic methodologies used to increasingly understand the physical world. The word "forensic" is derived from the Latin forum meaning "public." In ancient Rome, the Senate met in the Forum, a public place where the political and policy issues of the day were discussed and debated; even today, high school or university teams that compete in debates or public speaking are called "forensics." More technically, forensic means "as applied to public or legal concerns." Together, "forensic science" is an appropriate term for the profession which answers scientific questions for the courts.

Forensic science is the application of scientific methods to solving crimes. Any science can be a forensic science if it has an application to the criminal justice system. The largest area of forensic science is criminalistics, which includes the physical evidence that commonly occurs at crime scenes. There are about 400 crime labs in the United States. Several departments in the federal government have forensic science labs. These include the Departments of Justice and the Treasury. Each state has its own forensic science laboratory system. These include labs run by state or local government.

Forensic scientists analyze evidence and testify in court as expert witnesses. They may also go to some crime scenes where especially serious or notorious crimes have been committed. Crime laboratories must be secure so that evidence can be protected. There are many types of labs, but they all have an intake section, an analysis section, and a storage location for evidence.

7. Найдите английские эквиваленты в тексте.

Общественный интерес, раскрывать преступления, перспективное будущее, замешанные в уголовных преступлениях, расследование и судебное разрешение дела, четко разделенный, понять в большей степени, насущные государственные и политические вопросы, вещи (дела) общественного и правового характера, система уголовного правосудия, место преступления, управляемая государством, выступать в суде в качестве эксперта, общеизвестное преступление, отдел по сбору проб и образцов.

8. Переведите словосочетания из текста на русский язык.

3. forensic science
4. to solve crimes
5. to assist in investigating and adjudicating criminal and civil cases
6. systematic methodologies
7. to compete in debates
8. labs run by state
9. to analyze evidence

10. to testify in court as expert witnesses
11. to be secure
12. an intake section

**9. Прочитайте интернациональные слова и переведите их на русский язык а) одноко-
ренным; б) словом со значением, с которым оно использовалось в тексте.**

application, profession, active, associating, criminal, discipline, assist, collection, physical, forum, political, debates, legal, method, criminalistics, department, local, analyze, scene, laboratory, pro-
tect, type, analysis, section.

10. Найдите в тексте синонимы английских слов, данных ниже.

public, forensics, an offence, a dispute, a corresponding word, research techniques, to be free from
danger, to examine.

11. Соотнесите слово с определением.

- 1) science
- 2) forensic science
- 3) scientific methods
- 4) the Forum
- 5) evidence
- 6) crime laboratories

-
- a) a public place where the political and policy issues of the day were discussed and debated
 - b) a place where things from the crime scene are studied
 - c) a body of techniques for investigating phenomena, acquiring new knowledge, or correcting and integrating previous knowledge.
 - d) something legally submitted to a tribunal to ascertain the truth of a matter
 - e) the application of scientific knowledge and methodology to legal problems and criminal in-
vestigations.
 - f) a systematic enterprise of gathering knowledge about the world and organizing and condens-
ing that knowledge into testable laws and theories.

12. Закончите предложения в соответствии с содержанием текста.

1. Forensic science describes
2. The word "forensic" is derived from
3. The largest area of forensic science is
4. Forensic scientists analyze
5. Crime laboratories must

**13. Соедините слова из двух колонок, чтобы получились словосочетания из текста. Со-
ставьте с ними свои предложения.**

- | | |
|----------------------|---------------------------------|
| a. to serve | 1. investigating criminal cases |
| b. to solve | 2. debates |
| c. to be involved in | 3. as expert witnesses |
| d. to assist in | 4. justice |
| e. to compete in | 5. public concerns |
| f. to analyze | 6. crimes |

- g. to testify
- h. to be applied to

- 7. criminal activities
- 8. evidence

14. Замените русские слова в скобках английскими эквивалентами из рамки.

1. a civil action 2. the outcome of the case 3. a crime 4. a legal system 5. the accuser 6. forensic science 7. legal evidence 8. public presentation 9. sciences 10. Latin 11. the case

(Судебная наука) (often shortened to forensics) is the application of a broad spectrum of (наук) to answer questions of interest to (системе права). This may be in relation to (преступлению) or (гражданскому иску). The word *forensic* comes from the (латынь) *forēnsis*, meaning "of or before the forum." In Roman times, a criminal charge meant presenting (дела) before a group of public individuals in the forum. Both the person accused of the crime and (обвинитель) would give speeches based on their sides of the story. The individual with the best argument and delivery would determine (исход дела). This origin is the source of the two modern usages of the word *forensic* – as a form of (судебного доказательства) and as a category of (публичного выступления).

15. Составьте предложения.

- 1. a vital part of/ form/ the forensic sciences / the entire justice and regulatory system.
- 2. have become identified with / the different disciplines/ primarily / law enforcement / some of.
- 3. are involved in / and the results of their work / either the defense or the prosecution / may serve / forensic scientists / all aspects of criminal cases / and.
- 4. is / to determine the facts / the use of all available information / the forensic scientist's goal.
- 5. is expanding / in the civil justice arena / the forensic scientist's role.
- 6. to the protection of constitutionally guaranteed individual rights/ range/ from questions of the validity of a signature on a will/ issues.

16. Перескажите текст, пользуясь предложенной схемой.

This text explains...
Forensic science describes ...
Forensic science assists in ...
The largest area of forensic science is in ...
Forensic scientists analyze ...
To sum up, there are many types of ...

UNIT 2. WHAT IS FORENSIC SCIENCE?

1. Прочитайте и запомните названия наук.

Linguistics, Entomology, Geology, Anthropology, Pathology, Psychiatry, Odontology, Psychology, Meteorology, Biology, Toxicology.

2. Прочитайте слова и словосочетания. Определите, какую науку они описывают.

Science	Key words
1.	chemicals, poisons, dose, cyanides, substances
2.	insects, flies, butterflies, dragonflies, beetles, spiders
3.	the earth's crust, minerals, magma, rocks
4.	mental illnesses, hallucinations, thought disorders
5.	the sound system, the structure of words, vocabulary, the meaning of words, the structure of sentences
6.	a mouth, defective teeth, gums, repair or removal
7.	phenomena, weather conditions, atmosphere, climate, clouds, thunderstorms
8.	mental processes, behavioral characteristics, emotions, personality
9.	social and cultural development, society and culture, mankind,
10.	living organisms, evolution, cells, genes, heredity, DNA
11.	a disease and its causes, processes, development, and consequences, the causes of death

3. Составьте небольшой рассказ, используя информацию из задания 2.

1. Peter Parker is a teacher of _____.
2. In his childhood he was interested in _____.
3. He was always good at _____ at school.
4. So he decided to take his degree in _____.
5. Since then he has specialized in _____.
6. He has found that one of the advantages of the job is that it enables him to _____.

4. Прочитайте текст и ответьте на вопросы.

1. Why does forensic science extend into a broad range of sub-sciences?
2. What science deals with handwriting analysis and printmaking?
3. What science deals with the study and interpretation of language for use as legal evidence?
4. What does criminalistics deal with?
5. What does forensic entomology assist in?
6. What is forensic pathology?

TEXT

WHAT IS FORENSIC SCIENCE?

Forensic science is typically just referred to as "forensics" and is the practical application of numerous sciences to solve legal system-related questions, which can include either a civil or criminal action or suit.

The use of the term "forensics" in place of "forensic science" is actually a globally-accepted misnomer considering that the term "forensic" is effectually a synonym for "legal" or "pertaining to courts", from the root of Latin meaning.

Because it is now so closely scientific field, many dictionaries equate the word "forensics" with "forensic science."

Forensic science extends into a broad range of sub-sciences which utilize natural science techniques to obtain relevant criminal and legal evidence.

Forensic Accounting - the acquisition, interpretation and study of accounting - evidence.

Digital Forensics (also known as Computing Forensics) - the retrieval, reconstruction and interpretation of digital media (i.e. images, PDF's, e-mail messages, etc.) stored on a computer, for use as evidence.

Forensic Document Examination - the reconstruction, study and interpretation of physical document-related evidence, such as handwriting analysis and printmaking.

Forensic Economics - the acquisition, study and interpretation of evidence related to economic damage, which includes determination of lost benefits and earnings, business value and profit loss, lost household service value, labor replacement and future medical expense costs, etc.

Forensic Engineering - the reconstruction, study and interpretation of structural or mechanical failure or in devices, buildings, etc.

Forensic Linguistics - the study and interpretation of language for use as legal evidence.

Forensic Origin and Cause- the study, interpretation and identification of a fire for the express purpose of determining the cause of ignition and origin of the fire (i.e. arson cases).

Forensic Photography - the art-science of reconstructing, interpreting and producing an accurate photographic reproduction of a crime scene for a court's benefit.

Forensic Psychology and Psychiatry - the study, evaluation and identification of mentally-related illnesses and human behavior for the purpose of obtaining legal evidence.

Forensic Anthropology is the practice of physical anthropology, as applied to a legal situation- typically the identification and recovery of skeletonized human remains (bones).

Criminalistics is the application of combination of impression evidence (i.e. fingerprints, impressions left by footwear and tire tracks), trace evidence, controlled substances. Criminalistics includes evidence collected from a wide range of sciences to determine the answers of questions relating to the examination and comparison of criminal investigations. This evidence is typically processed in a crime lab.

Forensic Biology includes performing DNA and serological analysis of bodily (physiological) fluids for the purpose of individualization and identification.

Forensic Entomology assists in determining time and location of death, by examining how insects relate to human remains, and can often times determine if the body being examined was moved after death.

Forensic Geology is the application of trace evidence found in soils, minerals and petroleum, as applied to a legal setting.

Forensic Meteorology is an analysis of prior weather conditions, specific to the site being examined.

Forensic Odontology is the study of teeth- specifically, the uniqueness of dentition.

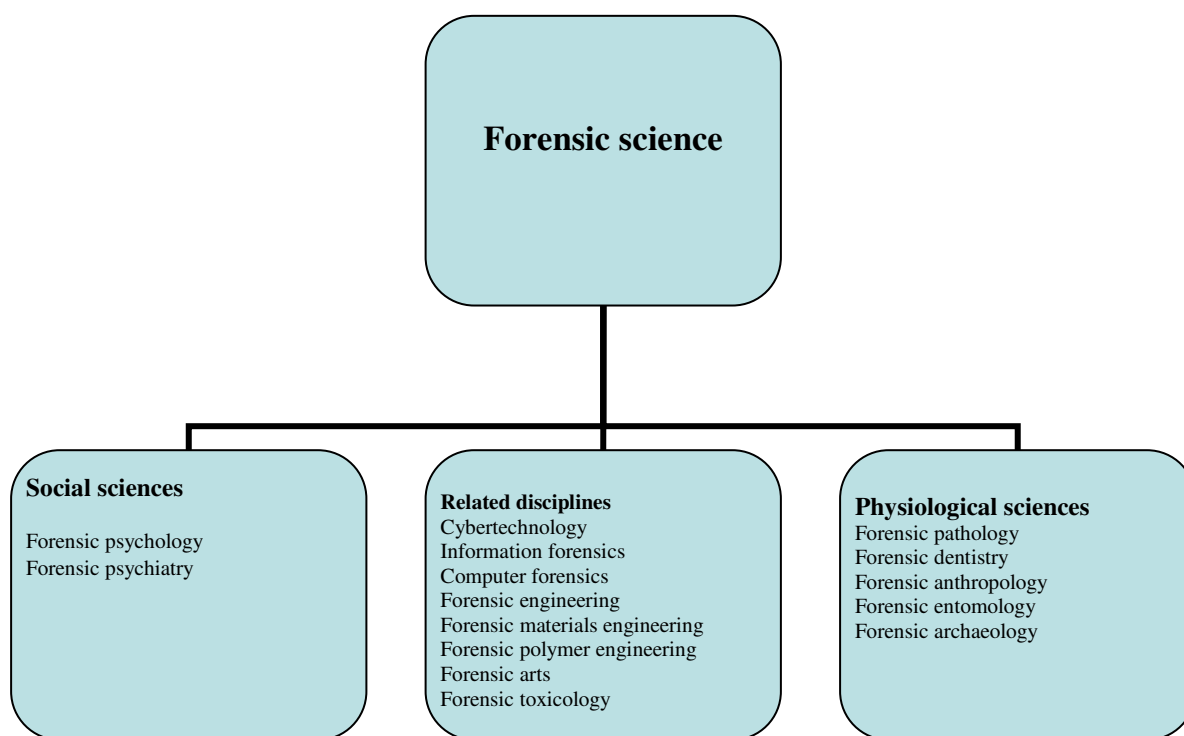
Forensic Pathology combines the disciplines of medicine and pathology, as applied to a legal inquiry, to determine the cause of injury or death.

Forensic Toxicology is the study, evaluation and identification of the effects of poisons, chemicals, or drugs in and on the human body.

5. Сравните информацию данную в схеме, с информацией, содержащейся в тексте. Впишите в схему недостающую информацию из текста. Расскажите, что Вы узнали о видах судебных экспертиз, используя логико-грамматические лексические единицы.

1. To begin with
2. In my opinion
3. I think it is reasonable to believe that
4. On the one hand... on the other hand
5. However
6. Furthermore
7. In addition
8. Nevertheless

- Прежде всего
 По-моему мнению
 Я думаю, есть все основания полагать, что
 С одной стороны ... с другой стороны
 Однако
 Кроме того
 К тому же
 Тем не менее



6. Прочитайте текст. Переведите письменно выделенные жирным шрифтом предложения. Напишите мини-реферат текста.

TEXT

THE SCOPE OF FORENSIC SCIENCE

If forensic science means science applied to criminal and civil law, we may wonder which of the sciences are forensic sciences. The answer may surprise you. **Any science can be a forensic science if it has some application to justice.** The most common areas of science that have forensic applications are described below. **This will give you an idea of the "big tent" that is forensic science.**

Criminalistics

Criminalistics is an old term first coined by Paul Kirk, the father of forensic science in the United States. In some quarters, **criminalistics is synonymous with forensic science.** **The term can be used to describe the comparative forensic sciences such as fingerprints, questioned**

documents, firearms, and tool marks. Most commonly, however, criminalistics refers to the myriad of types of physical evidence generated by crime scenes. **This includes illicit drugs, blood and DNA, fire and explosive residues, hairs and fibers, glass and soil particles, paints and plastics, fingerprints, bullets, and much more.**

Pathology

When some people think of forensic science, they envision dead bodies, autopsies, and blood everywhere. Not all of forensic science is like this, but forensic pathology is. The forensic pathologist is a medical doctor who has specialized in pathology and then in forensic pathology. **Forensic pathologists determine the cause and manner of death in cases where someone dies under suspicious or other circumstances as prescribed by state law.** Many people are also confused by the terms cause of death and manner of death. The cause of death is the event that directly caused death. It could be, for example, a heart attack or bleeding to death from a knife wound to a major artery. There can be many causes of death. **The manner of death is the type of death. There can be only four of these: homicide, natural, accidental, and suicide.**

Anthropology

Forensic anthropologists work with skeletal remains. They identify bones as being human or animal. If animal, they determine the species. If human, they determine from what part of the body the bone originated. If they have the right bones, gender can be determined. Sometimes age can be approximated, and racial characteristics determined; even socioeconomic status may be estimated. If there is an injury to a skeleton or major bones, the anthropologist can help determine the cause of the injury or even death.

Forensic anthropologists do other things besides identifying bones. They also work closely with skulls. It is possible to literally build a face onto a skull, using clay and wooden or plastic pegs of various sizes. Using charts that give average tissue depth figures for various parts of a face, an anthropologist constructs a face and then makes judgments as to eye, nose, and mouth characteristics. **Facial reconstruction can be useful in helping to identify a missing person from the face built up on the recovered skull.**

Engineering

Forensic engineers can be valuable in cases where something has gone wrong with a mechanical or structural entity or in cases of automobile crashes. A few years ago, a balcony collapsed in the lobby of a hotel in Kansas City. Many people were on the balcony at the time, watching a rock concert going on in the lobby several stories below. Questions arose about why the balcony collapsed. Forensic engineers were called in to examine the structural remains of the balcony and the concrete that fell. They concluded that the construction of the balcony was faulty and contributed to its failure. **Failure analysis is one of the major contributions that forensic engineers make to the justice system.**

The majority of the work of forensic engineers is in the investigation of traffic crashes. Accident reconstruction is used to determine speeds, directions of impact, and who was driving the vehicle at the time of the crash. Insurance companies and police departments use forensic engineers quite extensively in traffic incident investigation.

Entomology

When a person dies and the body is exposed to the elements, who gets there first? Not witnesses or detectives: it is flies, usually blowflies. During the bombing of the Alfred P. Murrah Federal Building in Oklahoma City (Terry Nichols and Timothy McVeigh were convicted of the bombing), bodies were buried in the tons of rubble from the collapsed building. Investigators literally followed the flies into the rubble and were able to locate some bodies this way. Flies and other insects lay their eggs in decaying flesh. Different insects do this at different times. Other insects such as beetles and wasps will attack and feed off the insects and the eggs. Depending upon temperature and other environmental factors, this parade of visitors takes place at surprisingly consistent time intervals. **By inspecting the corpse, forensic entomologists can give a pretty good estimate of**

the postmortem interval, that is, whether the body has been there for many hours or several days.

7. Согласитесь или опровергните утверждения, используя ту или иную речевую модель.

Models: a) I fully agree with the statement.

b) I am afraid, I can't agree with it.

1. Forensic science means science applied to criminal and civil law.
2. Criminalistics refers to the many types of physical evidence generated by crime scenes.
3. Criminalistics excludes fire and explosive residues.
4. The forensic pathologist is a medical doctor who has specialized in forensic psychology and psychiatry.
5. The cause of death is the type of death.
6. If anthropologists have the right bones, gender can be determined.
7. An anthropologist constructs a face and then makes judgments as to the appearance of the person.
8. The majority of the work of forensic engineers is in the investigation of the cases of environmental pollution.
9. By inspecting the corpse, forensic entomologists can give a pretty good reason of the death.

8. Выпишите из текста ключевые слова, описывающие каждую из областей судебной экспертизы. Используя выписанные слова, составьте определения каждого научного направления.

1. **Criminalistics** - fingerprints, questioned documents, _____
2. **Pathology** - dead bodies, autopsies, _____
3. **Anthropology** - skeletal remains, _____
4. **Engineering** - a mechanical or structural entity, _____
5. **Entomology** - flies, blowflies, _____

9. Работа в парах. Прочитайте дефиниции термина «Судебная наука». Выберите то, которое, по Вашему мнению, наиболее точно и в соответствующем объеме объясняет суть понятия. Представьте в аудитории обоснования своей точки зрения.

Definition of Forensic Science 1

Forensic science is the application of natural sciences to matters of the law. In practice, forensic science draws upon physics, chemistry, biology, and other scientific principles and methods. Forensic science is concerned with the recognition, identification, individualization, and evaluation of physical evidence. Forensic scientists present their findings as expert witnesses in the court of law. (Midwest Forensics Resource Center at the U.S. Dept. of Energy)

Definition of Forensic Science 2

The word "forensic" means "pertaining to the law"; forensic science resolves legal issues by applying scientific principles to them. (Hall Dillon, Bureau of Labor Statistics)

Definition of Forensic Science 3

Forensic science is a multidisciplinary subject used for examining crime scenes and gathering evidence to be used in prosecution of offenders in a court of law. Forensic science techniques are also used to examine compliance with international agreements regarding weapons of mass destruction.

The main areas used in forensic science are biology, chemistry, and medicine, although the science also includes the use of physics, computer science, geology, and psychology. Forensic scientists examine objects, substances (including blood or drug samples), chemicals (paints, explosives, toxins), tissue traces (hair, skin), or impressions (fingerprints or tidemarks) left at the crime scene. The majority of forensic scientists specialize in one area of science.
(Gale Encyclopedia of Espionage and Intelligence)

Definition of Forensic Science 4

Forensic science is the scientific analysis and documentation of evidence suitable for legal proceedings. Many people have heard the term “forensics” used to describe school debate clubs. There is a similarity between these two forms of the word. In academic forensics, political or other issues are debated between two teams using a logical approach, and likewise in forensic science the debate (or comparison) is between the physical evidence and the known or suspected circumstances about an event.

Forensic scientists determine scientific facts from the evidence they evaluate and may testify as expert witnesses in civil or criminal courts or other legal proceedings. It is the responsibility of the lawyers, judges, and juries to prosecute, defend, and judge the guilt or innocence of an individual accused of wrongdoing. It is the responsibility of the forensic scientist to present the scientific facts in a fair, objective manner based on accepted scientific methods to facilitate the decision.
(Hamilton County Forensic Center)

Definition of Forensic Science 5

Forensic science is the recognition, collection, identification, individualization, and interpretation of physical evidence, and the application of science and medicine for criminal and civil law, or regulatory purposes.
(McGraw-Hill Science & Technology Dictionary)

10. Используя выбранное Вами определение в задании 9 и ключевые слова для описания основных видов судебных экспертиз из задания 8, напишите небольшое эссе о предмете судебной экспертизы (120-150 слов). Используйте логико-грамматические лексические единицы, которые подразделяются на смысловые классы:

- 1) **соединение и логическая последовательность идей** (and, also, apart from, besides, further more, in addition to, moreover, simultaneously, thus, too, ...),
- 2) **парафраз и наложение** (as if, in the same way, in like manner, like, similarly, ...),
- 3) **причинность** (accordingly, as, because, consequently, hence, once, since, therefore, as long as, owing to, ...),
- 4) **контраст и сопоставление** (alternatively, although, but if, however, nevertheless, otherwise, in spite of, on the other hand, ...),
- 5) **ограничение** (except, impossible, occasionally, only, unless, if, only when, ...),
- 6) **предположение** (conclude, confirm, consider, reduce, imagine, suppose, in principle, it follows, ...),

UNIT 3. FORENSIC JOBS AND EDUCATION

1. Прочитайте текст и ответьте на вопросы.

1. Does forensic science require a definite level of education in a definite area of science?
2. What should students decide early in the college?

3. Do investigation of crimes and analyzing evidence require the same type of education?
4. How long should students study to earn a Bachelor Degree?
5. Can undergraduates with B.S. degree apply for a job?
6. What are the advantages of MSFS graduate program?
7. How long does MSFS program last?
8. Is it easy for Bachelors to compete with Masters?

It is good to start planning early for any career, especially in forensic science. Forensic science is an interesting field since it spans so many areas, with each area requiring a different education path. Prospective students are most confused when trying to figure out what type of work a real forensic scientist actually does. Unfortunately, students must decide early in college whether they are interested in the lab side of forensic science or the investigative side. Investigating crimes and analyzing evidence in the lab are closely related areas of work, but most of the time each requires a different type of education.

In college, there are a couple choices to make. First, some colleges offer an undergraduate degree in forensic science. A B.S. in forensic science is basically a chemistry or biology degree with some classes covering forensic applications and criminal justice mixed in. The other undergraduate option is to complete a chemistry or biology degree at a 4-year university. After completing an undergraduate B.S. degree, you can start applying for forensic science lab jobs, or attend a 2-year MSFS (Master of Sciences in Forensic Science) graduate program. The advantages of completing a MSFS degree are that graduates can better compete for entry level jobs and graduates will be qualified for eventual promotions to supervisory positions. You will notice that MSFS students still enter crime labs at the entry level. This is one reason why it may be more difficult for a student with just a B.S. degree to find employment since they are competing with MSFS graduates.

2. Найдите в тексте английские эквиваленты русским словосочетаниям.

1. распространяться на многие области науки
2. пытаться выяснить
3. смешанные занятия по прикладной науке и уголовному судопроизводству
4. устроиться на работу в криминалистическую лабораторию
5. выпускник со степенью бакалавра
6. двухлетняя магистрантская программа
7. продвижение по службе на руководящие должности

3. Пользуясь схемой, сделайте небольшую презентацию о системе образования и ученых степенях, необходимых для того, чтобы работать в разных областях судебной экспертизы.

Today I'm going to talk about...

In this presentation, I'd like to tell you a little bit about...

The first/key thing to say about _____ is...

The main point to make about _____ is...

Now let's look at...

Let's turn to/move on to ...

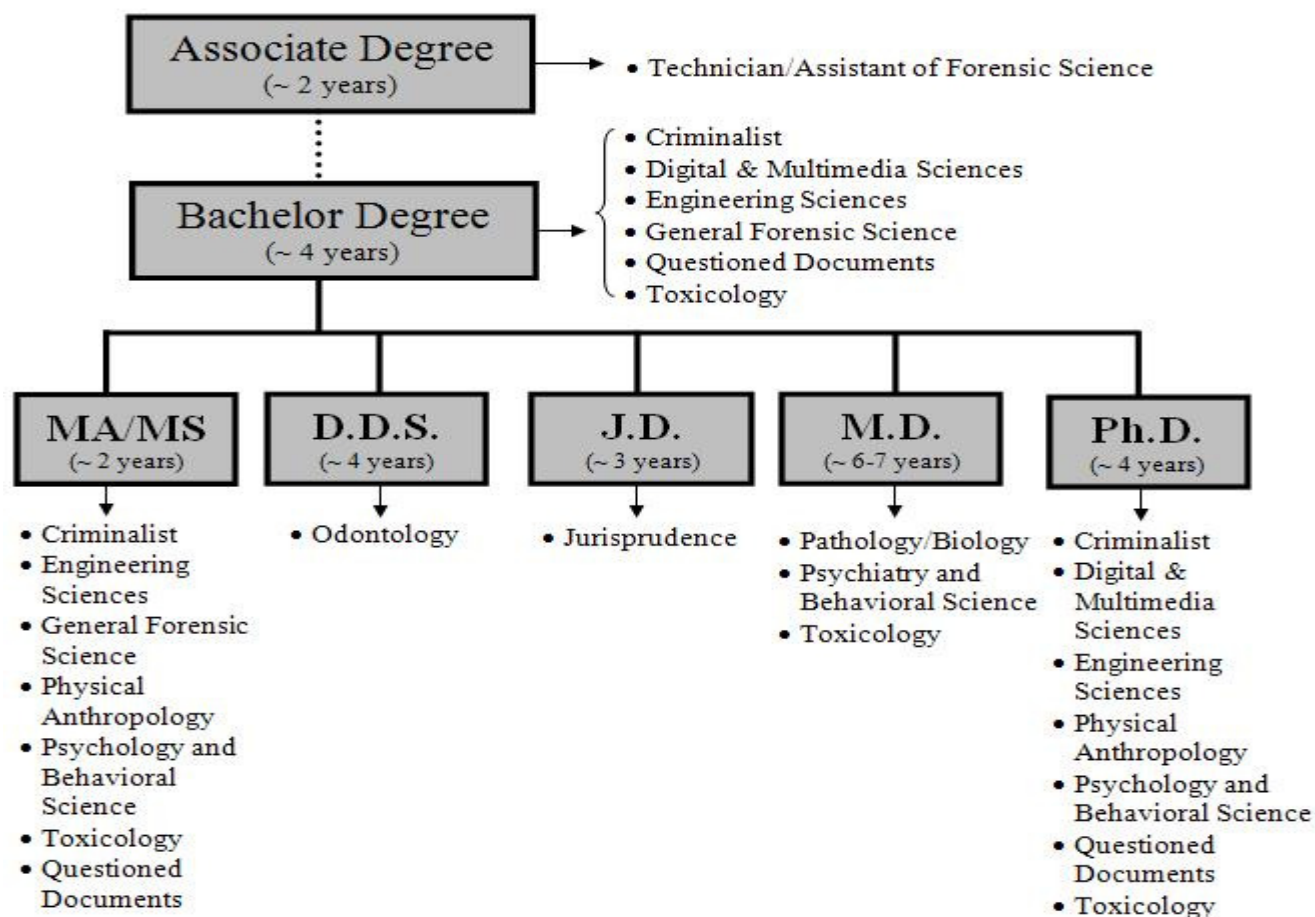
Another interesting thing to say about _____ is ...

Finally, I'd like to say a few words about...

In conclusion,... ; To sum up,...

So, remember that.....is all about..... , __, and ...

Does anybody have any questions?



- D.D.S – Doctor of Dental Surgery**
MA – Master of Arts
MS - Master of Sciences
J.D. – Doctor of Jurisprudence (the USA)
M.D. – Doctor of Medicine
Ph.D. – Doctor of Philosophy

4. Расшифруйте аббревиатуры, воспользовавшись словарем.

1. A.D. - _____
2. B.C. - _____
3. C.I.D. - _____
4. M.P. - _____
5. P.S. - _____
6. U.K. - _____
7. G.C.E. - _____

5. Помогите составить письмо директору колледжа в Лондоне своему другу, который захотел посвятить себя судебной экспертизе после того, как он услышал Вашу презентацию.

Dear Sir,
 I/be/ present/student/final year/secondary school/Moscow/Russia.

1. _____

I/study/English/five years/now.

2. _____

June/this year/sit/First Certificate examination/University of Cambridge/hope/pass/good grade.

3. _____

Also/expect/obtain/High School Certificate/about/same time/high marks/particularly/biology.

4. _____

Ambition/enter/London University/due course/read for/degree/biology.

5. _____

Realize/necessary/G.C.E./qualify/entrance/university.

6. _____

Very much hope/accepted/your college/prepare/G.C.E./Chemistry/Biology/English/too.

7. _____

Would like/start/early autumn/not/waste time.

8. _____

Perhaps/add father and mother/both/doctors/so/brought up/scientific environment.

9. _____

Grateful/you sent/official application form/and inform/other information/required.

10. _____

Yours faithfully,

(Signature)

6. Прочитайте текст и поставьте в пропуски слова и словосочетания из рамки. Озаглавьте текст.

a) microscopic examining b) evidence c) analysis d) scene of a crime e) forensic scientists f) the data interpretation g) the suspect h) a report

Simply stated, forensic scientists study the details of a crime and report their findings to a court of law. To do this, ___1___ perform physical and chemical analyses on criminal ___2___ submitted by the police or other law enforcement agencies. The physical evidence may be found at the ___3___, on a victim, or both. Regardless, forensic scientists use a variety of problem-solving methods, mathematical principles, complex instruments, and ___4___ techniques to explain the intricacies of each piece of evidence from a case. Some forensic scientists work in laboratories, while others conduct their analysis at the scene of the crime.

After analyzing the physical evidence, forensic scientists draw links between ___5___, the victim, and the crime scene. For example, they may use physical evidence to determine the model, year, and even the identity of the owner of a car associated with a crime. Then, they explain the results of their ___6___ and describe the methods they used to reach their conclusion

in ____7____, which they will cite while providing testimony in court. Throughout this process, forensic scientists ensure that their examination of physical evidence is complete, tests are administered correctly, ____8____ is accurate, their report is clear and concise, and their testimony is truthful.

6. Прочитайте текст и ответьте на вопросы.

1. What does a forensic scientist do?
2. What feature distinguishes forensic scientists from any other scientist?
3. Where do forensic scientists work?
4. Who is considered to be the grandfather of modern criminalistics?
5. What does a criminalist do?
6. What does a forensic generalist do?
7. What does an evidence technician do?

TEXT

WHAT IS A FORENSIC SCIENTIST?

A *forensic scientist* examines physical evidence and then testifies about the results of their findings in court. They are in fact defined by the expectation that they may give expert testimony about their examinations and further provide interpretations or opinions under oath. As explained in Thornton (1997): “The single feature that distinguishes forensic scientists from any other scientist is the certain expectation that they will appear in court and testify to their findings and offer an opinion as to the significance of those findings. The forensic scientist will testify not only to what things are, but to what things mean. Forensic science is science exercised on behalf of the law in the just resolution of conflict.”

A true forensic scientist is not a policeman, nor are they partial about the outcome of their examinations. They are objective investigators of scientific fact. Subsequently, a forensic scientist may work in a state run crime lab, or they may work in private practice.

There are different kinds of physical evidence, and subsequently there are different kinds of forensic scientists, all variously educated and trained.

The Austrian Jurist Dr. Hans Gross (born Johann Baptist Gustav Gross, 1847-1915), was one of the earliest forensic scientists of modern record. In his ground-breaking text, *System Der Kriminalistik* published in 1893, he is widely credited with coining the term "criminalistics". Dr. Gross is also widely regarded as the grandfather of modern criminalistics. A criminalist, by his usage, would have been one who studies crime, criminals, and the scientific methods of their identification, apprehension, and prosecution.

In modern use, the scope of the term criminalist has been greatly narrowed. It now refers only to a particular kind of forensic scientist who, according to the American Board of Criminalists (ABC), specializes in one or more of the following areas:

Forensic Biology (serology and/or DNA)

Drug Analysis

Fire Debris Analysis

Trace Evidence (hairs, fibers, paints, & polymers).

A **criminalist** may or may not be board certified. They may also be trained in crime reconstruction related to their areas of specialized knowledge, though this is not always the case. Some may visit crime scenes on a regular basis, and some may never leave their lab station. Most modern criminalists will have a four-year degree of some kind, likely in a hard science like chemistry or biology. However, there are plenty of exceptions. Every lab and agency has their own unique policies and procedures about such things.

A forensic generalist is a particular kind of forensic scientist who is broadly trained in a variety of forensic specialties. They are big picture people who can help reconstruct a crime from work performed with the assistance of other forensic scientists, and then direct investigators to forensic specialists as needed. They can also make for good crime lab administrators or directors.

Because of the depth and complexity of criminalistics, the need for specialists is inescapable. There can be serious problems, however, with overspecialization. Persons who have working knowledge of a broad range of criminalistics problems and techniques are also necessary. These people are called generalists. The value of generalists lies in their ability to look at all of the aspects of a complex case and decide what needs to be done, which specialists should be involved, and in which order to carry out the required examinations.

The generalist typically has broad education and training in the major forensic sciences, and will often have a master's or doctorate level education. However, many of those claiming to be generalists have only a law enforcement background with no formal science education. These are often police technicians who have confused their role with that of forensic scientist.

As suggested, a related profession is that of evidence technician. **An evidence technician** is charged with the recognition, documentation, collection, and preservation of physical evidence. Sometimes they even have training, though this is not necessary. A full time evidence technician is typically not a forensic scientist, and is not necessarily qualified to examine forensic evidence and interpret its meaning. Evidence technicians may be attached to the police department, the crime lab, or the medical examiners office. They are not necessarily sworn police officers, though they can be. It is common for technicians not to have attended a four-year degree program at a college or university. Some have two year associates degrees, and still others have only on the job training with a high-school diploma. In many jurisdictions, police officers must do this work themselves with little or no forensic training, for lack of specialized assistance.

7. Соотнесите английские словосочетания из текста с их русскими эквивалентами.

1. to give expert testimony	a. справедливое разрешение конфликта
2. to provide interpretations under oath	b. аттестат о полном среднем образовании
3. to testify to their findings	с. иметь опыт работы в правоохранительных органах
4. on behalf of the law	d. давать показания в качестве эксперта
5. just resolution of conflict	e. сохранение вещественных доказательств
6. the outcome of the examination	f. свидетельствовать о результатах экспертизы
7. to be trained in crime reconstruction	g. от имени закона
8. big picture people	h. давать толкование ч-л под присягой
9. to have law enforcement background	i. результаты экспертизы
10. to be charged with documentation and collection of physical evidence	j. иметь подготовку в вопросе реконструкции преступления
11. preservation of physical evidence	к. концептуально мыслящие люди
12. a high-school diploma	l. в обязанности которых входит документирование и сбор вещественных доказательств

8. Заполните таблицу информацией из текста и расскажите, что вы узнали о профессии судебного эксперта, необходимом уровне образования, возможных местах работы и должностных обязанностях.

JOB	PLACE OF WORK	EDUCATION	RESPONSIBILITIES
Criminalist			
Forensic generalist			
Evidence technician			

9. Напишите служебную записку начинающему эксперту, напоминая ему, каким требованиям он должен отвечать при выполнении своих служебных обязанностей (Список требований приводится ниже).

INTERNAL MEMORANDUM

From:
To:
Date:

Dear Mr.

I am writing to remind you that you are involved with a newly emerging forensic science specialty, so

A variety of skills are essential to an individual's effectiveness as a forensic science professional,

SKILLS AND QUALITIES REQUIRED

- ✓ Great patience and concentration: much work is monotonous, painstaking, detailed and routine.
- ✓ High quality of analytical work.
- ✓ Excellent attention to detail.
- ✓ Logical, unbiased and methodical in your approach to solving problems as you will have to give impartial evidence in court.
- ✓ An inquisitive, open mind.
- ✓ Work well in a team and independently.
- ✓ Outgoing personality with strong verbal communication and presenting skills for reporting roles.

PROFESSIONAL SKILLS

- ✓ Critical thinking (quantitative reasoning and problem solving).
- ✓ Decision-making.
- ✓ Good laboratory practices.
- ✓ Awareness of laboratory safety.
- ✓ Observation and attention to detail.
- ✓ Computer proficiency.
- ✓ Interpersonal skills.
- ✓ Public speaking.
- ✓ Oral and written communication.
- ✓ Time management.
- ✓ Prioritization of tasks.

10. Переведите предложения на английский язык.

1. Судебная наука – это применение научных знаний к разрешению судебных споров.
2. Роль судебной экспертизы заключается в предоставлении беспристрастной научной информации системе правосудия.
3. Судебная экспертиза вещественных доказательств может дать ответы на важные вопросы следствия.
4. Судебная экспертиза занимается (is concerned) установлением связей между подозреваемыми, потерпевшими и местом преступления.
5. Судебному эксперту, ответственному за проведение экспертизы вещественных доказательств во время следствия, требуется оформить результаты своей работы в форме экспертного заключения для суда.
6. Судебному эксперту требуется явиться в суд и дать свидетельские показания в качестве эксперта.

11. Прочитайте текст. Составьте план текста и озаглавьте его.

TEXT

(Title) _____

1. _____
2. _____
 - a) _____
 - b) _____
 - c) _____
3. _____
 - a) _____
 - b) _____

Forensic science is a multidisciplinary subject used for examining crime scenes and gathering evidence to be used in prosecution of offenders in a court of law. Forensic science techniques are also used to examine compliance with international agreements regarding weapons of mass destruction.

The main areas used in forensic science are biology, chemistry, and medicine, although the science also includes the use of physics, computer science, geology, and psychology. Forensic scientists examine objects, substances (including blood or drug samples), chemicals (paints, explo-

sives, toxins), tissue traces (hair, skin), or impressions (fingerprints or tidemarks) left at the crime scene. The majority of forensic scientists specialize in one area of science.

Evidence and Trace Examination

The analysis of the scene of crime or accident involves obtaining a permanent record of the scene (forensic photography) and collection of evidence for further examination and comparison. Collected samples include biological (tissue samples such as skin, blood, semen, or hair), physical (fingerprints, shells, fragments of instruments or equipment, fibers, recorded voice messages, or computer discs) and chemical (samples of paint, cosmetics, solvents, or soil).

Most commonly, the evidence collected at the scene is subsequently processed in a forensic laboratory by scientists specializing in a particular area. Scientists identify, for example, fingerprints, chemical residues, fibers, hair, or DNA left behind. However, miniaturization of equipment and the ability to perform most forensic analysis at the scene of crime results in more specialists being present in the field. Presence of more people at the scene of crime introduces a greater likelihood of introduction of contamination into the evidence. Moreover, multi-handling of a piece of evidence (for example a murder weapon being analyzed by many specialists) is also likely to introduce traces of tissue or DNA not originating from the scene of a crime. All this results in strict quality controls imposed on collection, handling, and analysis of evidence to ensure lack of contamination. For example, in DNA analysis it is essential that samples are stored at the correct temperature and that there is no contamination from a person handling a sample by wearing clean gloves and performing analysis in a clean laboratory.

Ability to properly collect and process forensic samples can affect the ability of the prosecution to prove their case during a trial. The presence of chemical traces or DNA on a piece of debris is also crucial in establishing the chain of events leading to a crime or accident.

A growing area of forensic analysis is monitoring non-proliferation of weapons of mass destruction, analysis of possible terrorist attacks or breaches of security. The nature of samples analyzed is wide, but slightly different to a criminal investigation. In addition to the already described samples, forensic scientists who gather evidence of mass destruction collect swabs from objects, water, and plant material to test for the presence of radioactive isotopes, toxins, or poisons, as well as chemicals that can be used in production of chemical weapons. The main difference from the more common forensic investigation is the amount of chemicals present in a sample. Samples taken from the scene of suspected chemical or biological weapons often contain minute amounts of chemicals and require very sensitive and accurate instruments for analysis.

Biological traces.

Biological traces are collected not only from the scene of crime and a deceased person, but also from surviving victims and suspects. Most common samples obtained are blood, hair, and semen. DNA can be extracted from any of these samples and used for comparative analysis.

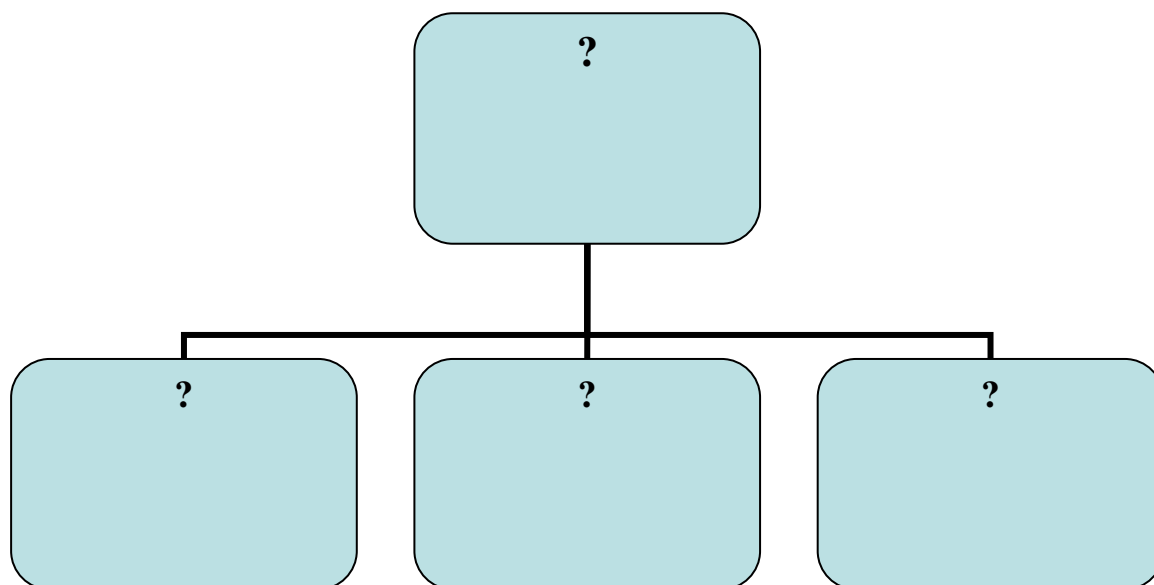
DNA is the main method of identifying people. Victims of crashes or fires are often unrecognizable, but adequate DNA can be isolated and a person can be positively identified if a sample of their DNA or their family's DNA is taken for comparison. Such methods are being used in the identification of the remains in Yugoslav war victims, the World Trade Center terrorist attack victims, and the 2002 Bali bombing victims.

Biological traces, investigated by forensic scientists come from bloodstains, saliva samples (from cigarette butts or chewing gum) and tissue samples, such as skin, nails, or hair. Samples are processed to isolate the DNA and establish the origin of the samples. Samples must first be identified as human, animal, or plant before further investigation proceeds. For some applications, such as customs and quarantine, traces of animal and plant tissue have to be identified to the level of the species, as transport of some species is prohibited. A presence of a particular species can also prove that a suspect or victim visited a particular area. In cases of national security, samples are tested for the presence of pathogens and toxins, and the latter are also analyzed chemically.

12. Ответьте на вопросы.

1. What is forensic science used for?
2. What do forensic scientists examine?
3. What does the analysis of the scene of crime or accident involve?
4. Is it possible to perform most forensic analysis at the scene of crime?
5. What do the presence of more people at the scene of crime and multi-handling of a piece of evidence require?
6. What affects the ability of the prosecution to prove their case during a trial?
7. What do forensic scientists who gather evidence of mass destruction collect?
8. How are biological traces collected?
9. Where is DNA analysis method used?
10. Where do biological traces come from?
11. What is the main idea of the text?

13. Пользуясь информацией из текста, заполните схему и перескажите текст.



14. Выступите в качестве переводчика.

Forensic Scientist Interview

Michael Howard
Job Title: Forensic Scientist (Criminalist), Self-employed
Years in Field: 29 years

Michael Howard explains educational requirements, skills needed, misconceptions and other factors involved in his work as a forensic scientist.

Как началась Ваша карьера судебного эксперта?



I got into the forensic field by accident. I was working in the toxicology lab at the medical school in Portland, and the state police crime lab was upstairs. They'd come down and ask for assistance with blood alcohol or toxicity, so I got to know them. When they got a grant to expand the lab, I decided I'd just as soon not be a medical tech the rest of my life.

Что требуется, чтобы стать судебным экспертом?

The only requirement in many states for this work is to have a degree in science. I had a BS in General Science, and a BS in Medical Technology. I was working in a toxicology lab, so I knew how to do blood alcohol. I had a lot of training in the use of a microscope. After that it was on-the-job training, learning how to do bullet comparisons. I went to the FBI academy for training in hairs and fibers, instrumental analysis for paint chips, all that trace evidence.

Какое самое распространенное заблуждение относительно судебной экспертизы?

On television shows, they have criminalists interviewing and arresting people. In real life, criminalists do not do that. In some states we can only use the evidence that has been collected by police officers; in other states there are teams that process crime scenes. The person who collects the evidence may not be the one who actually analyzes it. Each piece of evidence goes to its own specialty: DNA, firearms, drugs, toxicology, trace evidence.

Что больше всего Вам нравится в работе эксперта?

What I enjoy most about forensic science is the problem solving. When you have a situation, you look at the evidence to see what it's telling you. How can you use the experts, scientific tests, and your own knowledge to answer questions and solve problems?

Что Вы считаете негативным в своей профессии?

Because I'm self-employed, I'm not the first at the scene, the state folks are. The challenge on my part as a defence criminalist is to go back and look at the photos, look at the write-ups, the lab notes, and decide if they actually collected all the evidence they needed. Why are the things in the crime scene the way they are? Are there problems in how they collected evidence? I see if there are unanswered questions or things that are being ignored.

Also, a lot of what I do deals with the underbelly of society and it's not necessarily fun to do that. I encounter bad stuff: mutilated bodies, child abuse, autopsies. Sometimes people say, "I can't do this anymore, I don't want to see any more dead bodies."

А как Вы справляетесь со стрессом?

In forensics we often develop a warped sense of humor; we find humor in grotesque things. Forensic folks together will laugh about stuff that would horrify people outside the field. You build your own defenses, and vent it at work.

the comparison of latent prints to inked impressions, preparing reports of findings and court room testimony.

Qualifications: IAI Certification or bachelor's degree in forensic science, criminology, chemistry or closely related field such as biology (a bachelor's degree in criminal justice with additional science may also qualify); OR 3 years experience performing classification and identification and applying the rules of evidence as a fingerprint examiner or equivalent experience.

Contact: Lois Bear (all positions)
Idaho State Police Human Resources
700 S. Stratford Drive
Meridian, ID 83642-6202
(208) 884-7017
www2 stats id.us

2. Прочитайте текст о методах дактилоскопии и ответьте на вопросы.

1. What are fingerprint identification methods used for?
2. What is the basis of the fingerprinting technique?
3. How are fingerprints divided?
4. What is the difference between patent and latent fingerprints?
5. How can latent fingerprints be visible?
6. How can crime scene fingerprints be detected?

METHODS OF FINGERPRINT DETECTION

Since the late nineteenth century, fingerprint identification methods have been used by police agencies around the world to identify both suspected criminals as well as the victims of crime. The basis of the traditional fingerprinting technique is simple. The skin on the palmar surface of the hands and feet forms ridges, so-called papillary ridges, in patterns that are unique to each individual and which do not change over time. Even identical twins (who share their DNA) do not have identical fingerprints. Fingerprints on surfaces may be described as patent or latent. Patent fingerprints are left when a substance (such as paint, oil or blood) is transferred from the finger to a surface and are easily photographed without further processing. Latent fingerprints, in contrast, occur when the natural secretions of the skin are deposited on a surface through fingertip contact, and are usually not readily visible. The best way to render latent fingerprints visible, so that they can be photographed, is complex and depends, for example, on the type of surface involved. It is generally necessary to use a 'developer', usually a powder or chemical reagent, to produce a high degree of visual contrast between the ridge patterns and the surface on which the fingerprint was left.

Developing agents depend on the presence of organic materials or inorganic salts for their effectiveness although the water deposited may also take a key role. The resulting latent fingerprints consist usually of a substantial proportion of water with small traces of amino acids, chlorides, etc., mixed with a fatty, sebaceous component which contains a number of fatty acids, triglycerides, etc. Detection of the small proportion of reactive organic material such as urea and amino acids is far from easy.

Crime scene fingerprints may be detected by simple powders, or some chemicals applied at the crime scene; or more complex, usually chemical techniques applied in specialist laboratories to appropriate articles removed from the crime scene.

3. Работа в парах. Прочитайте с партнером резюме, присланное в ответ на рекламное объявление о вакансии. Обсудите в форме диалога возможности Джонатана Хенсли быть принятым на эту должность.

CURRICULUM VITAE

JONATHAN HENSLEIGH

82 Westlands Crescent, Crayford DAI 746

Tel: 0208 423 200 0001

Fax: 0208 423 200 0002

Email: hensleigh@online.uk.com

PROFILE

An enthusiastic law-enforcement officer with strong analytical and communication skills, deadline oriented, familiar with latest IT, presentable and ambitious. Specialize in litigation and detective investigations.

EDUCATION

2009 – 2010 Cambridge University LPC course, specialized in Antitrust Law and Litigation

2004 – 2008 Bristol University LLB Degree Law

CAREER HISTORY

2010 – at present Perform complex investigative legal work for Manchester police headquarters, provide counsel on litigation briefings, evidence research support

LANGUAGE SKILLS Fluent German, some knowledge of French

COMPUTER EXPERIENCE Proficient in the use Office 2007 IBM Compatible PCs, WordPerfect

INTERESTS Detective stories, psychology, hunting, diving basketball and wrestling

4. Работа в парах. Прочитайте и обсудите с партнером последовательность действий, которые необходимо совершить в поисках работы. Ознакомившись с рекомендациями, а) поговорите по телефону с работодателем; б) побеседуйте с работодателем в офисе.

Write a resume. Even if the particular job you're looking for has an application process where a resume isn't necessary, the process of writing a resume can help sort your thoughts and prepare you

for an interview. Having a written record of your work history makes filling out an application much easier, too. Tailor the resume to the type of job for which you are applying, emphasizing related skills and coursework.

Call the employer. Ask about the application process: "Good morning. My name is John Doe. I was wondering if you had any positions open and, if so, how I could apply." You will usually have your call routed to the hiring or human resources manager. If they have any openings, they'll either ask you to come in and fill out an application, or they'll ask you to send a resume and cover letter by mail or email, in which case you should inquire "To whom should the letter be addressed?" They will give you their full name - write it down and ask them to spell it out if necessary.

Write a cover letter if it's a part of the application process. Make sure it is specific to the job, with the company name and address and, if possible, the name of the person who will be receiving it.

Ask two or three friends or family members to read over your resume and cover letter for typos. It's often difficult to see our own mistakes.

Apply.

-
- Visit the employer to fill out your application form. It's usually best to go in the mid-morning, when they're not too busy, but before the day has worn them out. Ask to speak to the hiring manager and try to hand the form to him personally: "Hi, we spoke on the phone yesterday about the (job title) position. Here's my application. Let me know if you need anything else!" This will give the employer a chance to see you (so present yourself well) and put a face to a name.
 - Send your cover letter and resume as instructed.

Follow up.

-
- If you filled out an application but the hiring manager wasn't there at the time, call three days later, ask to speak to the manager, and confirm that the application was received: "Hello, this is (your name). I filled out an application on (day you came in) and I just wanted to confirm that it was received."
 - If you sent a cover letter and resume by mail, call a week later to confirm their receipt. If you sent them by email, call the day after.

Tips

- Always thank the employer for their time and consideration.
- Thank the manager.
- Follow up with a phone call.
- Always be honest when filling out a job application online.

5. Заполните типовую анкету для тех, кто ищет работу в США. Обратите внимание на то, что в анкетах на английском языке информация о соискателе дается в иной последовательности, нежели в анкетах, которые заполняются в России.

SAMPLE JOB APPLICATION FORM

Many employers require all applicants, regardless of the job they apply for, to complete a job application form. This way the employer will have consistent data on file for all prospective applicants.

Instructions: Print clearly in black or blue ink. Answer all questions. Sign and date the form.

PERSONAL INFORMATION:

First Name _____

Middle Name _____

Last Name _____

Street Address _____

City, State, Zip Code

Phone Number

(____) _____

Are you eligible to work in the United States?

Yes _____ No _____

If you are under age 18, do you have an employment/age certificate?

Yes ___ No ___

Have you been convicted of or pleaded no contest to a felony within the last five years?

Yes _____ No _____

If yes, please explain: _____

POSITION/AVAILABILITY:

Position Applied For _____

EDUCATION:

Name and Address Of School - Degree/Diploma - Graduation Date

Skills and Qualifications: Licenses, Skills, Training, Awards

EMPLOYMENT HISTORY:

Present Or Last Position:

Employer: _____

Address: _____

Supervisor: _____

Phone: _____

Email: _____

Position Title: _____

From: _____ To: _____

Responsibilities: _____

Salary: _____

Reason for Leaving: _____

May We Contact Your Present Employer?

Yes _____ No _____

References:

Name/Title Address Phone

I certify that information contained in this application is true and complete. I understand that false information may be grounds for not hiring me or for immediate termination of employment at any point in the future if I am hired. I authorize the verification of any or all information listed above.

Signature _____

Date _____

6. После заполнения анкеты, продумайте ответы на вопросы, которые обычно задают соискателю на собеседовании.

POTENTIAL INTERVIEW QUESTIONS

Technically, not every item is a question; some are statements; but all are intended to prompt you for a response.

Better questions are not those that can be answered with a "yes" or "no," but are open-ended questions that invite thoughtful response. Even if you are asked a question that can be answered with a "yes" or "no," (e.g. "Are you comfortable with the amount of travel this job involves?"), you can certainly add a word of explanation to back up your answer (e.g., "Yes. I actually look forward to the opportunity to travel and to work with the staff members in some of the other offices).

Best questions are those that ask you how you behaved in the past, because past behaviour is the best predictor of future behaviour.

Not every interviewer will ask you every one of these questions. However, if you are prepared to address these questions, you will leave the impression that you were prepared for your job interview, even if additional questions take you by surprise.

- What are your long-range goals and objectives for the next seven to ten years?
- What are your short-range goals and objectives for the next one to three years?
- How do you plan to achieve your career goals?
- What are the most important rewards you expect in your career?
- Why did you choose the career for which you are preparing?
- What are your strengths, weaknesses, and interests?
- How do you think a friend or professor who knows you well would describe you?
- Describe a situation in which you had to work with a difficult person (another student, co-worker, customer, supervisor, etc.). How did you handle the situation?
- How do you determine or evaluate success?
- In what ways do you think you can make a contribution to our organization?
- Describe a contribution you have made to a project on which you worked.
- What two or three accomplishments have given you the most satisfaction? Why?
- Describe your most rewarding college experience.
- Why did you select your college or university?
- What led you to choose your major or field of study?
- What college subjects did you like best? Why?
- What college subjects did you like least? Why?

- If you could do so, how would you plan your academic studies differently?
- Do you think your grades are a good indication of your academic achievement?
- What have you learned from participation in extracurricular activities?
- In what kind of work environment are you most comfortable?
- How do you work under pressure?
- Describe a situation in which you worked as a part of a team. What role did you take on? What went well and what didn't?
- In what part-time or summer jobs have you been most interested? Why?
- How would you describe the ideal job for you following graduation?
- Why did you decide to seek a position with our organization?
- What two or three things would be the most important to you in your job?
- What criteria are you using to evaluate the organization for which you hope to work?
- Are you comfortable with the amount of travel this job requires?
- Are you willing to spend at least six months as a trainee?

What the interview is looking for:

Interviewer says: **Tell me about yourself.**

Remember, this is a job interview, not a psychological or personal interview. The interviewer is interested in the information about you that relates to your qualifications for employment, such as education, work experiences and extracurricular activities.

Interviewer says: **What do you expect to be doing five years from now? Ten years from now?**

The interviewer is looking for evidence of career goals and ambitions rather than minutely specific descriptions. The interviewer wants to see your thought process and the criteria that are important to you. The interviewer is not looking for information about your personal life.

Interviewer says: **Why should I hire you?**

Stress what you have to offer the employer as relates to the position for which you are interviewing, not how nice it would be to work there or what you want from the employer. Remember that you are being compared to other candidates, and in fact more than one candidate might be a very good employee. Deliver to the employer reasons to see that you are a good fit (show you know yourself, know the field/industry, know the organization, and know the position).

Interviewer says: **What are your ideas about salary?**

Research salaries in your field before your interviews so that you know the current salary range for the type of position you are seeking.

Interviewer says: **Why do you want to work for our company/organization?**

Not having an answer is a good way to get crossed off the candidate list, and is a common pet peeve of interviewers. Research the employer before your interview; attempt to find out about the organization's products, locations, clients, philosophy, goals, previous growth record and growth plans, how they value employees and customers, etc.

Unfortunately it's very common for job-seekers to directly state, "I really want to work for your company/agency/organization/firm," but then to be unable to answer the question "why?" Without the answer to "why?" the initial statement becomes meaningless.

7. РОЛЕВАЯ ИГРА.

Группа делится на подгруппы, состоящие из четырех человек. Один студент из подгруппы будет исполнять роль «Работодателя», трое других – «Соискателей на должность судебного эксперта». Работодатель должен выбрать самого достойного на эту должность, для этого он должен заранее продумать, какие вопросы он задаст каждому из соискателей, как будет оценивать их, в соответствии с данными выше рекомендациями. Соискатели тоже должны подготовиться к собеседованию, придти с написанными заранее заявлениями (анкетами), просмотреть вопросы, которые обычно задают на собеседовании, и подготовить свои ответы на них (Potential Interview Questions). Работодатель начинает:

(Opening) "Good morning Mr. (Ms) (X, Y, Z). I have got your application form and I would like to ask you a few questions about yourself."

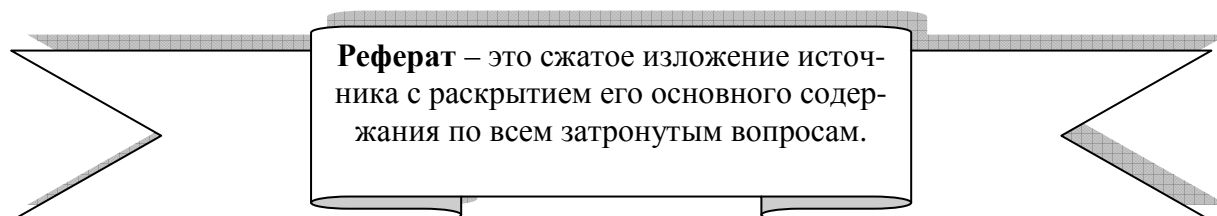
(Closing) Thank you very much, Mr. (Ms) (X, Y, and Z). I'll make my decision and contact you in the near future. Goodbye.

После того, как соискатели пройдут собеседование, Работодатель должен оценить каждого из претендентов по предложенной ниже шкале оценок, написать краткую характеристику каждого из соискателей и огласить свое решение о том, кто из них и почему будет принят на работу.

MR (MS) X	GRADES
QUALIFICATIONS	1 2 3 4 5 6 7 8 9 10
COMMUNICATIVE SKILLS	1 2 3 4 5 6 7 8 9 10
APPROPRIATE EXPERIENCE	1 2 3 4 5 6 7 8 9 10
PERSONALITY	1 2 3 4 5 6 7 8 9 10
OVERALL GRADE	1 2 3 4 5 6 7 8 9 10

Note: 1 = not at all suitable; 10 = very suitable

РЕФЕРИРОВАНИЕ И РЕФЕРАТИВНЫЙ ПЕРЕВОД



При реферировании текст освобождается от всего второстепенного, иллюстрирующего, поясняющего, сохраняется лишь сама суть содержания, поэтому объем вторичного текста значительно уменьшается по сравнению с первичным текстом оригинала. Осуществляя компрессию текста, не забывайте, что реферат не только перечисляет все вопросы, затронутые в оригинале, но и сообщает существенное содержание каждого из них. Содержание реферируемого материала излагается в последовательности первоисточника.

Рекомендации к выполнению задания:

1. Внимательно прочитайте весь текст.
2. Составьте подробный план всего текста. Весь материал разбивается на разделы, подразделы и пункты (обычно он уже имеет такую разбивку на абзацы).
3. Выделите главную мысль каждого раздела и важнейшие доказательства, подкрепляющие эту мысль.
4. После этого сформулируйте главную мысль текста.
5. Составьте текст реферата, начиная изложение с формулирования основной идеи текста.
6. Помните, что при реферативном переводе вы полностью отвлекаетесь от языка оригинала, ничего не переводите, а лишь кратко формулируете главные мысли автора.

8. Сделайте реферативный перевод текста.

СУДЕБНАЯ ЭКСПЕРТИЗА

СУДЕБНАЯ ЭКСПЕРТИЗА - это процессуальное действие, производимое в целях получения заключения по вопросам, имеющим доказательственное значение по делу. Экспертное исследование осуществляется экспертом в порядке, предусмотренном процессуальным законодательством. Основанием для проведения судебной экспертизы служит постановление лица, производящего дознание, следователя, прокурора, определение суда о назначении экспертизы. В ходе судебной экспертизы на основе специальных научных познаний, необходимых для экспертизы материалов уголовного или гражданского дела, устанавливаются факты, обстоятельства. Предмет «Судебная экспертиза» определяется вопросами, поставленными следователем или судом. Объектом экспертизы могут быть вещественные доказательства, обстановка места происшествия, сравнительные образцы и т.д.

Судебные экспертизы проводятся при помощи определенных приемов и с использованием различных технических средств, с учетом предмета экспертизы. Для разных видов судебных экспертиз разработана специальная методика, т.е. комплекс методов, которые реализуются в определенной последовательности — по этапам исследования, очередности решения частных задач для определения целого и т.п.

Судебные экспертизы классифицируются по их предмету, объекту, методике исследования и т.д. По степени общности задач, предмета, объектов, методик исследования различают экспертизы: криминалистические, инженерно-технические, медицинские и психофизиологические, биологические, экономические и др. Наиболее распространенными являются криминалистические экспертизы.

Экспертиза документов подразделяется на почерковедческую, исследующую почерк на систему движений, проявляющуюся в рукописи (тексте, подписи, цифровых обозначениях), и технико-криминалистическое исследование документов, объектами которого являются тексты документов, оттиски печатей, штампов, телеграфных и почтовых обозначений, ма-

шинописные тексты, полиграфическая продукция, а также чернила, пасты, бумага и другие материалы документов. В рамках этих экспертиз в последнее время стали развиваться судебные автороведческие экспертизы для установления автора рукописного или машинописного текста.

Потребности практики побудили криминалистов к разработке методик исследования ряда объектов, которые составили основу экспертиз, объединенных общим названием — криминалистические экспертизы материалов, веществ и изделий (КЭМВИ). К ним относят такие объекты, как почвы, лакокрасочные материалы, волокна, наркотические вещества, горюче-смазочные материалы и др. В рамках этих экспертиз разработаны методики исследования микрочастиц и микроследов. Данные исследования проводятся с целью определения групповой принадлежности объектов, а в отдельных случаях и для установления тождества.

Помимо криминалистических, по уголовным делам проводятся и другие виды экспертиз, в ходе которых используются знания из различных областей науки и техники.

Судебно-медицинская экспертиза подразделяется на экспертизы трупов, вещественных доказательств медицинского характера, живых лиц, медико-токсикологическую и экспертизу по материалам дела. К вещественным доказательствам медицинского характера относятся следы крови, волосы человека и животных, выделения тела человека, костные и мышечные ткани. Медико-токсикологическая экспертиза проводится в случаях отравления ядами, пищевых отравлений бактериального и небактериального происхождения.

Судебно-психиатрическая экспертиза заключается, главным образом, в обследовании лиц, психическая полноценность которых вызывает сомнение, в определении состояния вменяемости или невменяемости лица. Различают судебно-психиатрические экспертизы обвиняемых (подозреваемых, подсудимых), свидетелей и потерпевших.

В класс инженерно-технических экспертиз входят судебно-автотехническая экспертиза, а также экспертизы по технике безопасности, строительно-технологические, экспертизы взрывов. Перед автотехнической экспертизой ставят вопросы, связанные с исследованием: а) состояния транспортных средств; б) обстановки дорожно-транспортного происшествия; в) механизма происшествия или отдельных его элементов.

В группе финансово-экономических экспертиз при расследовании преступлений чаще всего проводятся судебно-бухгалтерские экспертизы. Выявление излишков и недостач товарно-денежных ценностей, установление размера материального ущерба, причин и условий его образования, определение правильности действий должностных лиц по ведению бухгалтерского учета и контроля - эти и другие задачи решаются экспертами-бухгалтерами, изучающими для этого бухгалтерские операции и различные учетные документы за определенные периоды.

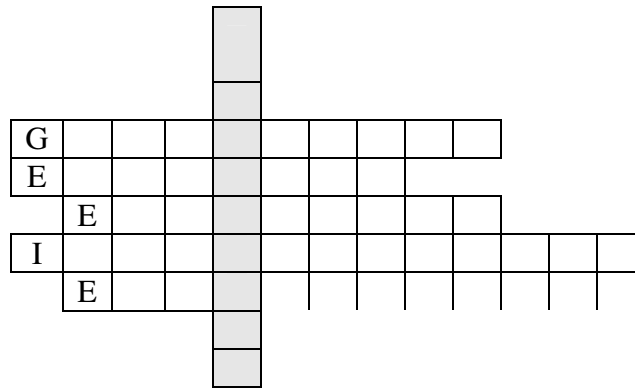
UNIT 5. TEST YOURSELF

1. Решите кроссворд. Найдите спрятанное слово по вертикали.

По горизонтали:

- 1) A big picture man who can help to reconstruct a crime.
- 2) Something legally submitted to a tribunal to ascertain the truth of a matter.
- 3) Science deals with production, distribution and use of wealth.
- 4) Solving crimes, examination.
- 5) Practical use of sciences in industry and building.

Спрятанное слово по вертикали: globally accepted misnomer to forensic science.



2. Прочитайте текст.

Forensic science dates as far back as 212 BC, and the earliest account of using fingerprints for the purpose of establishing identity, as far back as the 7th century.

During the Roman Empire, a criminal charged had to plead their case before a group of their public peers. Both the accuser and the accused would give their side of the story. The individual with the best debate (argumentation and delivery) skills would determine the case's outcome. The person with the best forensic skills won, much like lawyers and attorney do, today.

The first written account of combining entomology and medicine for acquiring an analyzing criminal evidence to solve cases has been attributed to a Chinese book, written in 1248, by Song Ci which translated in English to "Collected Cases of Injustice Rectified".

In one account, the case of a sickle murder was solved by a forensic science investigator of the time who instructed everyone to bring their sickles to a specific location. Flies gathered on the sickle with the blood, and ultimately the killer confessed and was brought to justice.

3. Определите, справедливо ли данное утверждение.

The earliest report on the application of special knowledge in medicine and entomology for investigation of crimes was given in a Chinese book, written in 1248.

- true
- false
- there is no information in the text.

4. Определите, какое предложение выражает основную идею текста.

- There are a lot of historical examples proving the fact that forensic science can help in solving crimes.
- Forensic science has a long history.
- The word "forensic" originated from Latin.

5. Прочитайте текст и замените русские слова в скобках на их английские эквиваленты.

In the ancient Roman Empire, the Senate used to conduct its meetings in (1. общественном месте) called the forum. Anyone who wanted could listen to the great (2. дебаты) of the day and watch government in action. The term (3. судебный) means "of the forum." In the broadest sense, then, (4. судебная наука) can be defined as the methods of science applied to public matters. Today we

use the term to mean the methods of science applied to matters involving (5. система правосудия). In the United States and most other countries, the justice system deals with either (6. вопросами уголовного или гражданского правосудия). Forensic science has its most important applications to the (7. системе уголовного правосудия), and this has been the fuel for the current media type seen in books, TV shows, and movies.

GLOSSARY

1. degree - ученая степень

Associate ~ - низшая степень профессионального образования

Bachelor's degree – степень бакалавра

Master's degree – степень магистра

MSFS ~ (Master of Sciences in Forensic Science) – степень магистра в области судебной экспертизы

law degree – степень в области юриспруденции

undergraduate ~ - степень бакалавра

to earn a degree – заработать степень

to pursue a degree – стремиться получить ученую степень

2. forensic science - юр. судебная наука, криминалистика

Forensic science laboratory - лаборатория судебно-медицинской экспертизы

Forensic Science Center - экспертно-криминалистический центр

Forensic Sciences Foundation - Фонд судебных экспертиз

Office of Forensic Sciences - экспертно-криминалистическое бюро

3. forensics - криминалистика; судебная медицина

computer forensics - компьютерно-техническая экспертиза

forensics analyst - эксперт-криминалист

Internet Forensics - криминалистическая компьютерная экспертиза следов пребывания в Интернете

Windows Forensics - электронная криминалистическая экспертиза данных под операционной системой Windows

4. forensic - судебный; аналитический

~ accounting expert examination - судебно-бухгалтерская экспертиза

~ analysis - криминалистический анализ

~ anthropologist - судебно-медицинский антрополог

~ audit - судебно-бухгалтерская экспертиза

~ engineer - инженер в области криминалистики

~ document examination - судебная экспертиза документов

~ expert - судебный эксперт

~ expert institution - судебно-экспертное учреждение

~ facial reconstruction - судебно-экспертная реконструкция лица

~ information - данные для экспертного анализа

~ laboratory - лаборатория судебной экспертизы

~ pathology - судебная патологоанатомия

~ photography - судебная фотография

~ psychiatric examination - судебно-медицинская экспертиза

~ psychiatric expert examination - судебно-психиатрическая экспертиза
~ psychiatry - судебная психиатрия
~ psychology - судебная психология
~ report - заключение судебной экспертизы
~ science laboratory - лаборатория судебно-медицинской экспертизы
~ statistics - судебная статистика
~ testimony - показания судебного эксперта
computer ~ analysis - компьютерно-техническая экспертиза

5. generalist - универсал; эрудит; человек с широким образованием и кругом интересов, специалист широкого профиля; эксперт широкого профиля; (мед) - врач общей практики; семейный врач; врач общего профиля

6. record – (юр) учёт; документ (оформленный надлежащим должностным лицом и служащий доказательством зафиксированного в нем правового акта, сделки, права); досье; отчёт
forensic ~ - заключение судебного эксперта

7. sample – образец, проба

blood ~ - образец крови
by ~ - по образцу
collect ~s – собирать пробы
describe a ~ - описать образец
handle a ~ - обращаться с образцом
process a ~ - обработать пробу
store ~s – хранить образцы
contamination of the ~ - загрязнение пробы
origin of the ~ - источник происхождения пробы

8. technician – лицо среднего технического персонала

engineering- ~ - инженерно-технический работник
evidence ~ - технический персонал по работе с вещественными доказательствами

9. technique – способ, метод, методика

classification ~s – классификационные методы
criminalistics ~s – методы криминалистической экспертизы
microscopic examining ~s – методы микроскопического исследования
psycholinguistics ~s - - методы психолингвистического анализа

MODULE 10

LAW AND SCIENCE

UNIT 1. ETHICS AND MORALS



“I swear to tell the truth”.



“Is this really necessary, Your Honour? I’m an expert.”

1. Прочитайте определения моральных качеств, которыми должен обладать специалист, работающий в области правосудия. Соотнесите их с русскими эквивалентами, данными в рамке. Расставьте качества в порядке уменьшения их значимости, по Вашему мнению.

1. сочувствие, сопереживание 2. искренность, чистосердечие 3. неподкупность, порядочность 4. умение быстро восстанавливать душевные силы, жизнестойкость 5. уважение 6. скромность, смиренность 7. компетентность, профессионализм 8. беспристрастность 9. здравый смысл, мудрость 10. мужество, смелость

Empathy: the ability to communicate understanding of another person’s experience from that person’s perspective.

Sincerity: a personal commitment to consistency between what is professed and what is done.

Integrity: commitment to being moral in dealings with others, personal straightforwardness, honesty and coherence.

Resilience: the capacity to work with the client's concerns without being personally diminished.

Respect: showing appropriate esteem to others and their understanding of themselves.

Humility: the ability to assess accurately and acknowledge one's own strengths and weaknesses.

Competence: the effective deployment of the skills and knowledge needed to do what is required.

Fairness: the consistent application of appropriate criteria to inform decisions and actions.

Wisdom: possession of sound judgment that informs practice.

Courage: the capacity to act in spite of known fears, risks and uncertainty.

2. Заполните таблицу недостающими словами, описывающими моральные качества человека, и переведите их на русский язык.

NOUN	ADJECTIVE	ADJECTIVE with negative meaning
empathy	friendly	cold
		insincere
integrity	incorruptible	
		disrespectful
	humble	arrogant
	competent	
resilience	consistent	
fairness		
		unwise
	brave	

3. Посмотрите на рисунки и скажите, какими качествами обладают или не обладают, по Вашему мнению, изображенные на них персонажи. Используйте как можно больше слов из таблицы, а также соединительные союзы.

either... or -или ... или
neither...nor -ни ... ни
both ... and -как ... так и
as well as -также как
not only ...but -не только ... но и

4. Прочитайте текст и скажите: а) чем отличается понятие «этика» от понятия «нравственность»: б) в каких случаях профессиональная этика может не совпадать с нравственными представлениями человека.

The difference between ethics and morals can seem somewhat arbitrary to many, but there is a basic, albeit subtle, difference. Morals define personal character, while ethics stress a social system in which those morals are applied. In other words, ethics point to standards or codes of behaviour expected by the group to which the individual belongs. This could be national ethics, social ethics, company ethics, professional ethics, or even family ethics. So while a person's moral code is usually unchanging, the ethics he or she practices can be other-dependent.

When considering the difference between ethics and morals, it may be helpful to consider a criminal defense lawyer. Though the lawyer's personal moral code likely finds murder immoral and reprehensible, ethics demand the accused client be defended as vigorously as possible, even when the lawyer knows the party is guilty and that a freed defendant would potentially lead to more crime. Legal ethics must override personal morals for the greater good of upholding a justice system in which the accused is given a fair trial and the prosecution must prove his or her guilt beyond a reasonable doubt.

5. Обсудите предложенные ниже утверждения. Начните свое высказывание с одной из моделей.

Models:

I fully agree with the statement	Полностью согласен с этим утверждением.
I am afraid, I can't agree with it because	К сожалению, не могу согласиться с этим, потому что...
I am keeping an open mind for the moment	Пока у меня нет никакого мнения на этот счет
I'm (not) sure that	Я (не) уверен, что...

1. Morality is like economics. You have to tend to everybody's interest; the difficulty is in striking the right balance.
2. Morality is about behaving in ways that set a good example.
3. In order to be moral you have to pay close attention to the impact of your decisions.
4. When faced with a moral dilemma, I usually listen to my own conscience.
5. By and large, morality is about doing what feels right.
6. Dignity is a big part of my morality. Certain things I will not do, no matter what the stakes are.
7. Morality is about living with a high standard of conduct.
8. If only people listened to their inner voice, they would make better moral choices.
9. In order to live morally in your day-to-day, you have to constantly step out of your shoes.
10. I don't care what other people do in private, as long as they don't hurt others.
11. Morality is about helping others and not harming them.
12. In a way, morality is like art. When you see something, you know how you feel about it.
13. If only people cared more about each other, they would make better moral decisions.
14. The point of morality is to end suffering and promote happiness.

15. As far as morality goes, my goal is to care about all people equally.
16. At the end of the day, good moral decisions are those decisions you can live with.

UNIT 2. LAW AND SCIENCE

1. Прочитайте и переведите текст.

TEXT

LAW AND SCIENCE

The philosophical foundation of the criminal justice system remains to protect the innocent and to ensure that the truth emerges for any matter before the court, thereby ensuring that justice is done. While crime laboratory scientists may pride themselves as being "independent finders of fact," most operate under police jurisdiction or administration, and many scientists, perhaps unconsciously, develop the attitude that they work exclusively for the best interest of the police or the prosecutor.

When emotions overcome reason, a zealous forensic scientist may intentionally or inadvertently deny real justice. Results are misinterpreted, or worse, falsified. Such science may not be easy to spot, since it can only appear through the results of the scientific investigation. While no one can ever attain anything close to a perfect harmony of reason with emotion, forensic scientists at least have a political duty to strike the best balance possible under life's most difficult circumstances. Of course, completely satisfying this duty remains both difficult and elusive. The commitment to ethics should be stressed in the education of a forensic scientist. The values inherent in "good science," including both these moral elements and the nonmoral elements distinguishing reliable from unreliable scientific practice, should be a part of official forensic scientific curricula.

In the practical world, only the competence and rigorous honesty of the individuals preserve the philosophical basis of the criminal justice system designed to protect the innocent and expose the truth about complex actions. The system works if, and only if, morally honest individuals hold key positions of power.

Without high ethical standards, forensic scientists may become what is known in the profession as hired guns*. The student considering this profession should resist the temptation of selling whatever opinion is needed by defence or prosecution. Properly educated, experienced scientists may also act as gunslingers** through ignorance or misapplication of method. This might involve purposefully omitting relevant tests or suppressing relevant results. Many such experts may develop an entirely unjustified sense of their own scientific abilities and observational powers.

In the real forensic sciences, individual scientists always work as members of a larger team, perhaps with other specialized scientists, law enforcement investigators, prosecutors, defence attorneys, judges, juries and the media, each contributing his or her efforts toward the bigger picture of a public trial, or an investigation capturing the public interest. The job of a forensic scientist is not one of glamorous celebrity***.

Notes:

* **hired guns** - a person, especially a professional killer, employed to kill-someone. The noun **gun** has been slang for a professional criminal since the mid-1800s.

****gunslinger**, is a 20th century name, used in cinema or literature, referring to men in the American Old West who had gained a reputation as being dangerous with a gun.

*** **a celebrity** is a person who is easily recognized in a society or culture.

2. Найдите в тексте английские эквиваленты русским словам и словосочетаниям.

Система уголовного судопроизводства, ученые-криминалисты, прокурор, здравый смысл, намеренно или нечаянно, фальсифицировать, научное исследование, трудный для понимания, связь с этикой, учебный план, искушение, невежество (незнание), следователи правоохранительных органов, адвокаты, присяжные, судебный процесс.

3. Переведите на русский язык словосочетания из текста.

1. to protect the innocent
2. to ensure the truth
3. to operate under police jurisdiction
4. to develop the attitude
5. to do justice
6. to deny real justice
7. to strike the best balance
8. to distinguish reliable from unreliable scientific practice
9. to omit relevant tests
10. to contribute his or her efforts

4. Дополните предложения в соответствии с содержанием текста и переведите их на русский язык.

1. When emotions overcome reason,
2. Most crime laboratory scientists operate under
3. Forensic scientists at least have a political duty
4. The values inherent in "good science,"
5. The system works if,
6. what is known in the profession as *hired guns*.
7. Properly educated, experienced scientists may also act as
8. The job of a forensic scientist is

5. Работа в подгруппах (3-4 человека). Каждая подгруппа составляет по одному общему и специальному вопросу к каждому абзацу текста. Один представитель от каждой подгруппы отвечает на них. За каждый правильно составленный вопрос и правильный ответ подгруппа получает один балл. Победителем объявляется подгруппа, получившая максимальное количество баллов. Преподаватель выступает в качестве арбитра.

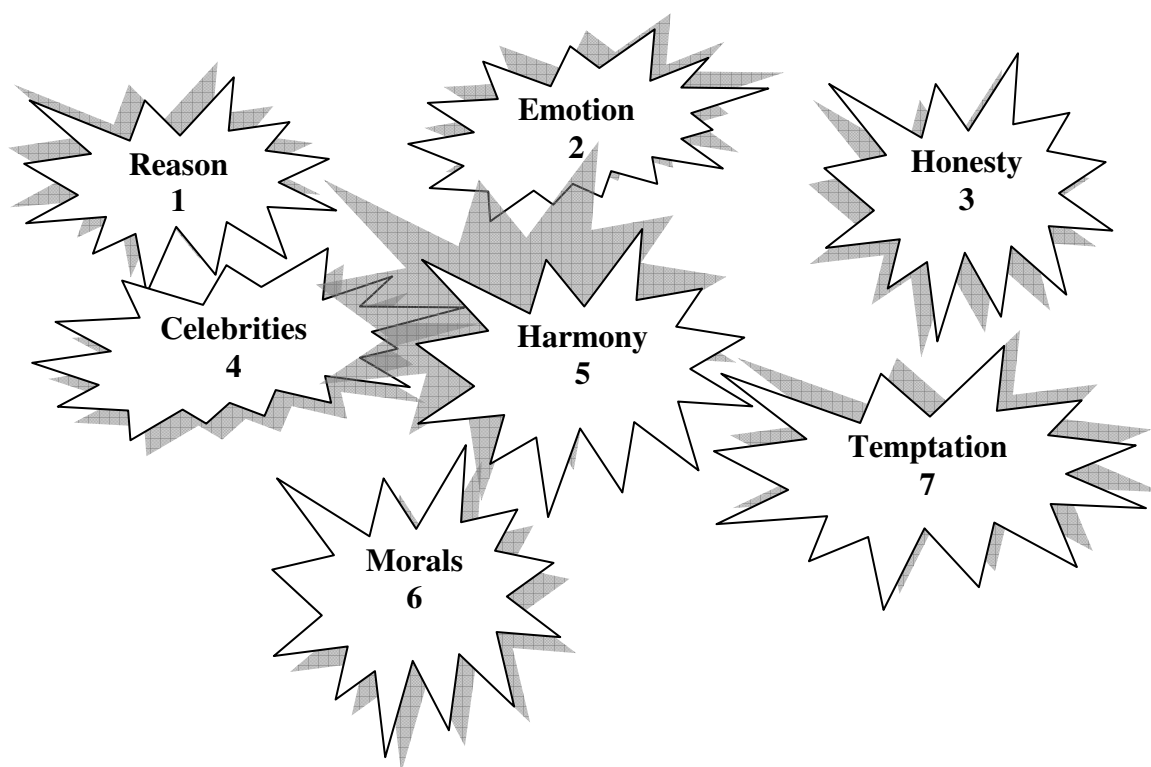
6. Соотнесите слова из рамки и их определения.

1. expert	2. forensic scientist	3. justice	4. trial	5. judge
6. prosecutor	7. ethics			

- a) Public official vested with the authority to hear, determine, and preside over legal matters brought in court.

- b) Government attorney who presents the state's case against the defendant in a criminal process
- c) A person who applies scientific knowledge and methodology to legal problems and criminal investigations.
- d) Branch of philosophy that seeks to determine the correct application of moral notions such as good and bad and right and wrong
- e) The upholding of what is just, especially fair treatment and due reward in accordance with honor, standards, or law.
- f) A person with a high degree of skill in or knowledge of a certain subject.
- g) Examination of evidence and applicable law by a competent tribunal to determine the issue of specified charges or claims.

7. По образцу предыдущего задания дайте определения понятиям из текста, связанным с профессиональной этикой. Воспользуйтесь толковым словарем или Интернет-ресурсом (Wikipedia).



8. Прочитайте высказывания известных людей и заполните пропуски соответствующими словами из предыдущего задания. Выскажите свое мнение по поводу каждого из них. Начните свои высказывания с одной из фраз, данной в модели.

Models:

Hmm, I'm not sure, but ... - Не уверен, но ...

I'm of two minds, but ... - Не знаю, на что решиться, но ...

I can't make up my mind, but ... - Не могу принять решение, но ...

I don't think it's reasonable to believe that ... - Я не думаю, что есть основания полагать, что ...

I absolutely agree that ...- Я абсолютно согласен, что ...

1. In the 21st Century _____ can be famous simply by being in the right place at the right time. They are the nobodies, turned somebodies, and are often turned into somebodies based on the ridiculous things they do. - (*Andy Warhol*)
2. "Most men seem to live according to sense rather than _____." – (*St. Thomas Aquinas*)
3. " _____ is the best policy." – (*Benjamin Franklin*)
4. "If I feel depressed I will sing. If I feel sad I will laugh. If I feel ill I will double my labor. If I feel fear I will plunge ahead. If I feel inferior I will wear new garments. If I feel uncertain I will raise my voice. If I feel poverty I will think of wealth to come. If I feel incompetent I will think of past success. If I feel insignificant I will remember my goals. Today I will be the master of my _____." – (*Og Mandino*)
5. "He who lives in _____ with himself lives in _____ with the universe." – (*Marcus Aurelius*)
6. "The higher the building the lower the _____." – (*Noel Coward*)
7. "Do not worry about avoiding _____. As you grow older it will avoid you." – (*Joey Adams*)

9. Переведите предложения на английский язык.

1. Значение юридической этики состоит в том, что она придает нравственный характер деятельности по отправлению правосудия, выполнению прокурорских функций, следственной работе, а также и другим видам деятельности, осуществляемой юристами-профессионалами.
2. Юридическая этика способствует правильному формированию сознания, взглядов работников юридической профессии, ориентируя их на неукоснительное соблюдение нравственных норм, обеспечение подлинной справедливости, защиту прав, свобод, чести и достоинства людей, охрану собственной чести и репутации.
3. Этика — философское учение, предметом которого является мораль, а центральной проблемой – Добро и Зло.
4. Однако общественное мнение далеко не всегда справедливо и совсем не служит гарантом нравственности.
5. Моральные нормы — конкретные правила поведения, определяющие, как человек должен вести себя по отношению к обществу, другим людям, самому себе.
6. Мораль – это индивидуальные и общественные формы человеческих отношений, основанные на различении добра и зла.
7. Профессиональная этика должна быть неотъемлемой составной частью подготовки каждого специалиста.
8. “Закон по-разному может быть использован”: это высказывание относится не к закону, а к юристу, который по-своему его толкует и применяет.

<p>Повторение грамматики: глаголы shall и will</p>

В некоторых случаях в качестве модальных могут использоваться глаголы, не являющиеся сами по себе таковыми:

shall => для обозначения категорического ("на 100%") обещания / предостережения / угрозы; в этом случае он сочетается с существительными и местоимениями во 2-м и 3-м лице:

He shall do it. => Он сделает это (обязательно).

В этом значении shall может использоваться только в утвердительных и отрицательных предложениях, но не в вопросительных.

will => для обозначения решимости/согласия выполнить действие со стороны говорящего; в этом случае он используется только с местоимениями в первом лице:

I will do it. => Я сделаю это (обязательно).

В данном значении will может использоваться только в утвердительных предложениях.

При использовании в модальном значении, как **shall**, так и **will** обычно произносятся в полной форме и попадают под логическое ударение.

10. Поставьте в пропуски глаголы shall или will.

1. We _____ unite to resist oppression, and tyrants _____ not triumph over us.
2. You've been a good child and when we get home you _____ have a sweet.
3. Your boss _____ hear of this.
4. Members _____ write the names of their guests in the book provided. (Club rule)
5. This tenant _____ be responsible for all repairs. (Clause of lease)
6. Yachts _____ go round the course passing the marks in the correct order. (Extract from Yacht Racing Rules)
7. Club officers _____ be elected yearly and _____ not be eligible for re-election at the end of the year. (Extract from the club regulations)
8. They are going much too fast. I keep warning them to reduce speed but they _____ not do it. (Police officer in a loud-speaker van besides a motorway in thick fog)
9. Ten persons _____ constitute a quorum. (Committee regulations)

11. Прочитайте выдержки из Морального Кодекса судебного эксперта США. Подчеркните глаголы shall и will, определите, в какой функции они выступают в предложениях, и переведите эти предложения на русский язык.

CODE OF ETHICS

Board of Forensic Document Examiners

PREFACE

The statements in this Code of Ethics generally express the ethical standards expected of forensic document examiners who are certified by the Board of Forensic Document Examiners. It is our responsibility as professionals to maintain the highest ethical standards in our relationships with clients and in the opinions expressed concerning evidence examined.

CODE OF ETHICS

As a Board Certified Forensic Document Examiner, I hereby accept this Code of Ethics and the Code of Professional Responsibility and pledge to abide by the guidelines and constraints set forth in these Documents.

In my practice as a Forensic Document examiner, I will conduct myself and my business in a manner that is a credit to my profession.

In every case, my findings and opinions will be based solely upon the facts and merits of the evidence I have examined.

I will always seek to understand the truth, without bias, for or against any party.

I recognize the importance of privileged information and shall keep such information in trust.

I will communicate my findings and opinions as clearly and fairly as I am able, in the appropriate forum.

If a complaint for any breach of the Code of Ethics is made against me, the Ethics Committee of the BFDE shall have jurisdiction to review and take action on the complaint.

I will have the opportunity to present information to rebut any complaint alleging the breach of the Code of Ethics before the Ethics Committee. The Ethics Committee shall weigh the evidence and information presented to it and make a recommendation to the Executive Board of the Board of Forensic Document Examiners.

I agree that the Executive Board of the Board of Forensic Document Examiners shall decide the ultimate validity of the complaint and shall have the right to impose sanctions against me, up to and including revocation of my board certification and/or any other status.

I agree that I shall accept as final the decision of the Executive Board of the Board of Forensic Document Examiners as binding in all matters concerning my board certification and/or any other status.

11. Напишите свой вариант Кодекса чести судебного эксперта.

UNIT 3. LAWYERS AND SCIENTISTS

1. Прочитайте текст и найдите ответы на вопросы.

1. What kind of relationship do forensic scientists and lawyers have?
2. What is the reason for it?
3. What does adversarial system depend on?
4. What are scientists dependent upon?
5. Do scientists and lawyers operate with the facts in the same way?
6. How can they deal with data?
7. Do they speak “different languages”?

TEXT

LAWYERS AND SCIENTISTS

All men are liable to error; and most men are, in many points, by passion or interest, under temptation to it.

John Locke (1632-1704)

Lawyers and forensic scientists enjoy a close, yet often uneasy, relationship. Forensic scientists must not forget that lawyers have moral and legal obligations that often generate conflict and misunderstanding among those with scientific minds. For example, defense lawyers have an obligation to conduct a spirited defense of the accused, especially if they are guilty. Like it or not, the fundamental purpose of the criminal justice system is to protect the rights of the accused.

Lawyers work in adversarial situations where the clear objective remains winning a favorable decision for one's client through knowledge of the law. The adversarial system depends for its success upon the vigilance of opposing counsel, who also works toward the same objective. In this sense, law is outcome based. In law, a judge or a jury determines the truth. What juries or judges say, through their verdicts, is what is so. This legal goal has nothing whatever to do with proper, logical, scientific practice.

In sharp contrast to the practice of law, science remains justification based. Reaching the truth, or as close as one can come to it, depends upon the available evidence combined with a reliable method and not upon the rhetoric of persuasion. Scientists remain dependent upon data and present their conclusions as tentative, conditional, or probable in nature where appropriate. Lawyers, however, represent one of two rival positions arguing for acceptance. They may be operating with a different set of facts. The scientist may present the data, but the lawyer may argue that the data is inadmissible and prevent the data from becoming evidence. Where a scientist may see a complex issue consisting of many related parts whose interactions may be unclear to varying degrees, a lawyer may see the issue simply as “yes” or “no”, black or white, on or off, true or false. In other cases, what the scientist sees as black and white data may become more complex in the law's view.

In this sense, at least, forensic scientists and lawyers speak different languages with different objectives, unfortunately using many of the same words. The words *truth*, *fact*, *certainty*, *possible*, and *probable* can mean very different things in law and in science.

2. Согласитесь или опровергните утверждения. Начните свое высказывание с одной из речевых моделей.

Models:

I really think that ... - Я действительно думаю, что ...

I strongly believe that ... - Я твердо убежден, что ...

I feel that ... - Я полагаю (считаю), что ...

I strongly disagree with ... - Я решительно не согласен с ...

1. Lawyers have moral and legal obligations that often generate conflict and misunderstanding among those with scientific minds.
2. The fundamental purpose of the criminal justice system is to prove the truth.
3. Lawyers work in adversarial situations where the main aim is to win the case.
4. Law is outcome based meanwhile science remains justification based.

5. Reaching the truth, or as close as one can come to it, depends upon the rhetoric of persuasion.
6. Forensic scientists represent one of two rival positions arguing for acceptance.
7. A scientist may see a complex issue consisting of many related parts whose interactions may be unclear to varying degrees; a lawyer may see the issue simply.
8. Forensic scientists and lawyers use many of the same words.

3. Используя информацию текста, заполните таблицу.

LAWYERS AND SCIENTISTS IN COURT

	SCIENTISTS	LAWYERS
OBJECTIVES		
WAYS OF ACHIEVING GOALS		
DATA FOR EVIDENCE		
LANGUAGE		

4. Проанализируйте информацию в таблице и скажите, что общего между судебным экспертом и юристом, а что их разделяет. Составляя рассказ, используйте следующие логико-грамматические лексические единицы:

- 1) *As a matter of fact ...* – В сущности ...
- 2) *In fact ...*– На самом деле ...
- 3) *In most cases ...* – В большинстве случаев ...
- 4) *In general ...* – В общем ...
- 5) *In brief ...*– Вкратце,
- 6) *What is more ...*– Более того ...
- 7) *First and foremost ...* – На первом месте ...
- 8) *As a result ...* – В результате ...
- 9) *Least important is ...* – Наименее важным является ...
- 10) *Last but not least ...* – Последний по счету, но не менее важный ...

5. Обоснованно ответьте на вопрос: **Whose work seems more attractive for you?**

6. Прочитайте еще раз эпиграф к тексту и ответьте на вопросы.

“All men are liable to error; and most men are, in many points, by passion or interest, under temptation to it.”

a) Can you guess with what meaning adjective *liable* is used in the phrase?

1. Legally obligated; responsible. Used with *for*.
2. At risk of or subject to experiencing or suffering something unpleasant. Used with *to*.
3. Likely. Often used with reference to an unfavorable outcome.

b) Do you agree with the author? Can these reasons justify mistakes made by lawyers and scientists, in your opinion?

7. Парная работа. Прочитайте вопросы теста, определяющие этические и нравственные качества человека. Обсудите с партнером, какие вопросы, направлены на выявление нравственных качеств, а какие - этических норм, которым следует человек. Заполните график, данный ниже, необходимой информацией. В соответствии с графиком, рассчитайте максимальные и минимальные баллы, которые даются за каждый возможный вариант ответа. Определите свой уровень развития этических и нравственных норм, правдиво ответив на предложенные вопросы. Представьте свою работу в виде презентации проектной работы по следующему плану:

1. Articulation of problem (research problem and statement of hypotheses)
2. Upfront statement of opinion
3. Method
4. Outline of research tasks that match the specified problem
5. Findings
6. Discussion
7. Conclusion

1. Would you give up a promising career to aid the family in time of need?

- a) In a heartbeat
- b) Yes, with some reluctance
- c) Only if I was certain I'd be able to return to my career soon
- d) No

2. Would you betray a family member to advance your own career?

- a) Yes, without a twinge of guilt
- b) Yes, if I could do it secretly
- c) I'd resist the temptation
- d) I find the very idea abhorrent

3. Do you respect the leaders of your family?

- a) Their words guide my actions
- b) They're role models for me
- c) They're often out of touch with my life
- d) They're out of touch with reality

4. A powerful but corrupt judge offers you wealth if you'll testify against a friend. Do you:

- a) Condemn your friend and take the money
- b) Take the money and testify, but try to keep your testimony ineffective
- c) Refuse the offer and refuse to testify
- d) Testify on your friend's behalf, no matter the consequences

5. Have you ever betrayed a friend?

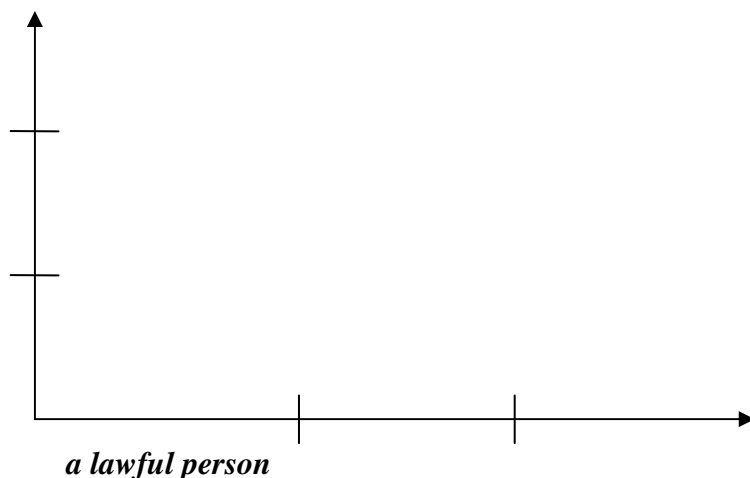
- a) I've done so more than once, and I sometimes get away with it
- b) I've done so once
- c) I've been tempted to do so, but I've never gone through with it
- d) I'd never contemplate such a thing

6. Do you insist on repayment when lending money to friends?

- a) Yes, and I write up a contract so there's no misunderstanding
 - b) Yes, but I try to be flexible about the exact terms
 - c) No, although it's sure nice to be repaid
 - d) No, they just owe me a favour
7. Do you respect the laws and authorities in the community?
- a) Yes, without question
 - b) Yes, they're generally the best way to govern
 - c) When it suits me -- there are some laws I just don't agree with
 - d) I don't pay attention to the authorities; they've got no hold on me
8. If imprisoned, would you injure or kill others to escape?
- a) Yes. Serves 'em right for locking me up
 - b) Yes. They knew the risks when they took the job
 - c) No, except for minor wounds that will heal easily
 - d) No. Those guards are just doing their jobs
9. You have accidentally committed a crime. Do you:
- a) Confess and attempt to make restitution to the victim
 - b) Confess, throwing yourself on the mercy of the court
 - c) Hide your involvement, lying if you have to
 - d) Try to pin the crime on another
10. If guilty, would you confess to a crime?
- a) Yes, because it is my duty to do so
 - b) Yes, because it might get me a lighter sentence
 - c) No, I'd make the magistrates prove my guilt
 - d) No, and I'd try to "prove" my innocence
11. While traveling, you witness an assault. You are ordered to testify, which will delay your travel significantly. Do you:
- a) Slip out of town at night to avoid testifying
 - b) Deny you saw anything
 - c) Remain reluctantly, testify, and leave
 - d) Remain until the trial's conclusion in case further testimony is needed
12. When confronted by beggars, do you:
- a) Give generously
 - b) Give moderately
 - c) Give only what I wouldn't miss anyway -- a copper or two at most
 - d) Ignore them as you walk by
13. What's the best path to wealth?
- a) It's a matter of luck and being in the right place at the right time
 - b) Staying flexible so you can take advantage of good opportunities
 - c) Following a long-term plan that incorporates a comfortable level of risk
 - d) Hard work and perseverance

The moral axis has three positions: good, neutral and evil. Good characters generally care about the welfare of others. Neutral people generally care about their own welfare. Evil people generally seek to harm the others' welfare.

The ethical axis has three positions as well: lawful, neutral, and chaotic. Lawful people generally follow the social rules as they understand them. Neutral people follow those rules find convenient or obviously necessary. And chaotic people seek to upset the social order and either institute change, or simply create anarchy.



UNIT 4. EXPERT WITNESS

1. Прокомментируйте приведенное ниже высказывание. Согласны ли Вы с ним или нет? Обоснуйте свою точку зрения, опираясь на информацию из предшествующих текстов.

In litigation, this is the era of the expert witness. The trial of cases is becoming dominated by the opinions of experts to an extent never before seen in the judicial system. Virtually all cases that go to trial today involve the testimony of expert witnesses. One study of civil jury trials revealed that expert witnesses were called in 86% of cases at an average rate of four experts per case. This is hardly a surprising development in our modern technological society. The types of cases being brought to court increasingly involve questions of science, engineering, psychology and economics.

2. Прочитайте и переведите текст.

TEXT

EXPERT WITNESS

An expert can be anyone with knowledge or experience of a particular field or discipline beyond that to be expected of a layman. An expert witness is an expert who makes this knowledge and experience available to a court to help it understand the issues of a case and thereby reach a sound and just decision. The duty of an expert witness is to give or prepare evidence for the purpose of court proceedings.

Expert evidence is sought most obviously in disputes requiring detailed scientific or technical knowledge. Expert evidence must provide as much detail as it is necessary to convince the judge that the expert's opinions are well founded. It will often include:

- factual evidence obtained by the witness which requires expertise in its interpretation and presentation;
- explanations of technical terms or topics;
- hearsay evidence of a specialist nature;
- opinions based on facts adduced in the case.

The primary ethical duty of an expert witness is to be truthful to the court, thorough in technical reasoning, honest as to opinion and complete in coverage of relevant matters. This applies to written reports as much as oral evidence, and regardless of whether the witness is on oath.

At the same time, when accepting instructions the expert assumes a responsibility to the client to exercise due care with regard to the investigations he carries out and to provide opinion evidence that is soundly based. This necessitates that the expert undertakes only those tasks he is competent to carry out and gives only those opinions he is competent to provide.

To fulfill these duties adequately it is, of course, vital that the expert should also have kept up to date with current thinking and developments in his field.

Expert evidence should be independent, objective and unbiased. In particular, an expert witness must not be biased towards the party responsible for paying his fee. The evidence should be the same whoever is paying for it.

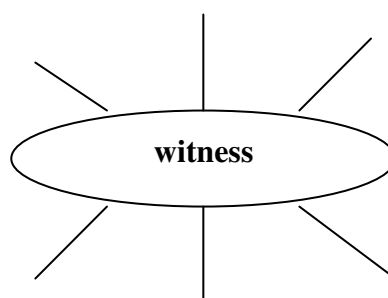
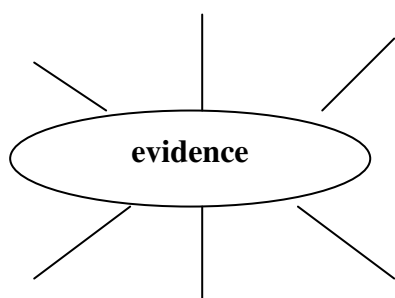
Clearly, too, an expert witness should have:

- a sound knowledge of the subject matter in dispute, and, usually, practical experience of it;
- the powers of analytical reasoning required to fulfill his assignment;
- the ability to communicate findings and opinions clearly, concisely and in terms adapted to the tribunal before which evidence is being given;
- the flexibility of mind to modify opinions in the light of fresh evidence or counter-arguments.

3. Соотнесите английские словосочетания из текста с их русскими эквивалентами.

1. to reach a sound and just decision	а. требовать экспертных профессиональных знаний для толкования чего-либо
2. expert evidence	б. выполнять задание
3. to convince the judge	с. идти в ногу с современными разработками (достижениями) в данной области
4. expert's opinion	д. взять на себя ответственность за клиента
5. to require expertise in the interpretation	е. убедить судью
6. hearsay evidence of a specialist nature	ф. прийти к убедительному и справедливому решению
7. to be truthful to court	г. гибкость ума
8. witness is on oath	h. доказательства, полученные с помощью эксперта
9. to assume a responsibility to the client	i. доказательства с чьих-либо слов профессионального характера
10. to keep up to date with current developments in the field	г. быть правдивым перед судом
11. to fulfill the assignment	к. мнение эксперта
12. flexibility of mind	l. свидетель, приведенный к присяге

4. Найдите в тексте слова, которые образуют устойчивые словосочетания со следующими словами. Проиллюстрируйте их значения в своих предложениях.



5. Составьте пары слов с противоположным значением.

1. an expert witness	a. unbiased
2. factual evidence	b. oral evidence
3. facts	c. hearsay evidence
4. biased	d. counterarguments
5. written reports	e. a layman
6. arguments	f. the right
7. the duty	g. opinions

6. Заполните пропуски подходящими словами из упражнения 6.

- Expert evidence should be seen to be _____
- To provide clarity on the facts of the case, and to prevent such cases from turning into a "he said, she said," both parties often bring in _____ to testify on their behalves.
- Expert witnesses provide their interpretation of the _____ of the case during the pre-trial period.
- The work involves a lot of reading and reviewing different _____.
- Expert witnesses should be _____.
- Expert witnesses are perceived very differently from _____, both by the law and by the public. It gives you some _____ and advantages but imparts added responsibilities.

7. Прочитайте диалог между судьей и экспертом, выступающим в качестве свидетеля по делу.

Q: What is your name?

A: Lionel Thompson, Your Honour.

Q: Your occupation?

A: I am a doctor, and have been all my life.

Q: Did you examine Deborah Ann Kaye and review her file?

A: The young woman who suffered massive brain damage while in Dr. Towler's care? Yes.

Q: What is your educational background?

A: I went to Howard University as an undergraduate and majored in chemistry. I went to medical school at N.Y.U. and got my M.D. in 1958.

Q: What did you do after that?

A: I stayed on the staff at Bellevue for five years, and then joined their Emergency Medicine group. I practiced there for almost twenty years, but the pace of the Emergency room became too much for me, so I joined the surgical staff of the Hempstead Hospital on Long Island. I am still on staff there.

Q: Do you hold any state licenses?

A: Yes. I am licensed to practice medicine by the state of New York.

Q: Are you a member of any medical societies?

A: Yes. The A.M.A., the New York State Medical Society, the Nassau County Medical Society, and Concerned Physicians for Peace in the Middle East.

Q: Do you have experience with anaesthesiology?

A: Yes. When I was at Bellevue, most of my practice was anaesthesiology. At Hempstead I did mostly general surgery, but of course, the surgeon must work closely with the anaesthesiologist.

Q: Have you ever testified as an expert witness before?

A: Yes, several times.

Q: Do you have any experience reviewing other doctors' work?

A: Yes. I was on the peer review committee of Hempstead Hospital from 1987 to 1995, that was in charge of reviewing complaints against staff doctors.

Q: What kinds of cases did you review?

A: All kinds, but mostly they were cases where a patient had suffered serious complications following surgery.

Q: Counting both your experience on the peer review committee and your consulting work, about how many cases of suspected medical malpractice have you investigated?

A: Around two hundred.

8. Ответьте на вопросы.

1. What branch of science is Lionel Thompson specialized in?
2. What have you learned about his educational level?
3. What was his major in the undergraduate course?
4. Where did he get his Doctor Degree?
5. What did he do after graduating from New York University?
6. Did he have enough experience as an expert witness?
7. How many cases did he review?
8. Do you think that the judge was satisfied with his qualifications as an expert?

9. Прочитайте текст и ответьте на вопросы.

1. Who can be an expert witness?
2. What are the requirements for an expert witness?
3. How can an expert witness reach his/her goals?
4. What is the right of an expert witness?
5. What should an expert witness remember when testifying?

TEXT

Regardless of one's role in an investigation, no one can accurately claim to be an expert witness by profession. Expert witnesses, by law, can only be declared such by a judge. There are experts who are not scientists; for example, experts in office design, river rafting, school bus driving, fashion design, art history, or scuba diving. Of course, there are also experts in the natural sciences and medicine, as well as those with forensic practices. But only the court creates expert witnesses. Forensic scientists first and foremost must remain scientists. Those practicing forensic medicine

remain, first and foremost, medical professionals. Forensic scientists and forensic pathologists may or may not be declared expert witnesses by the court.

Expert witnesses are perceived very differently from lay witnesses, both by the law and by the public. It gives you some rights and advantages but imparts added responsibilities. Juries will forgive fear, nervousness, and some confusion in a lay witness, but experts don't impress much if they show those conditions.

There are three requirements for an expert witness:

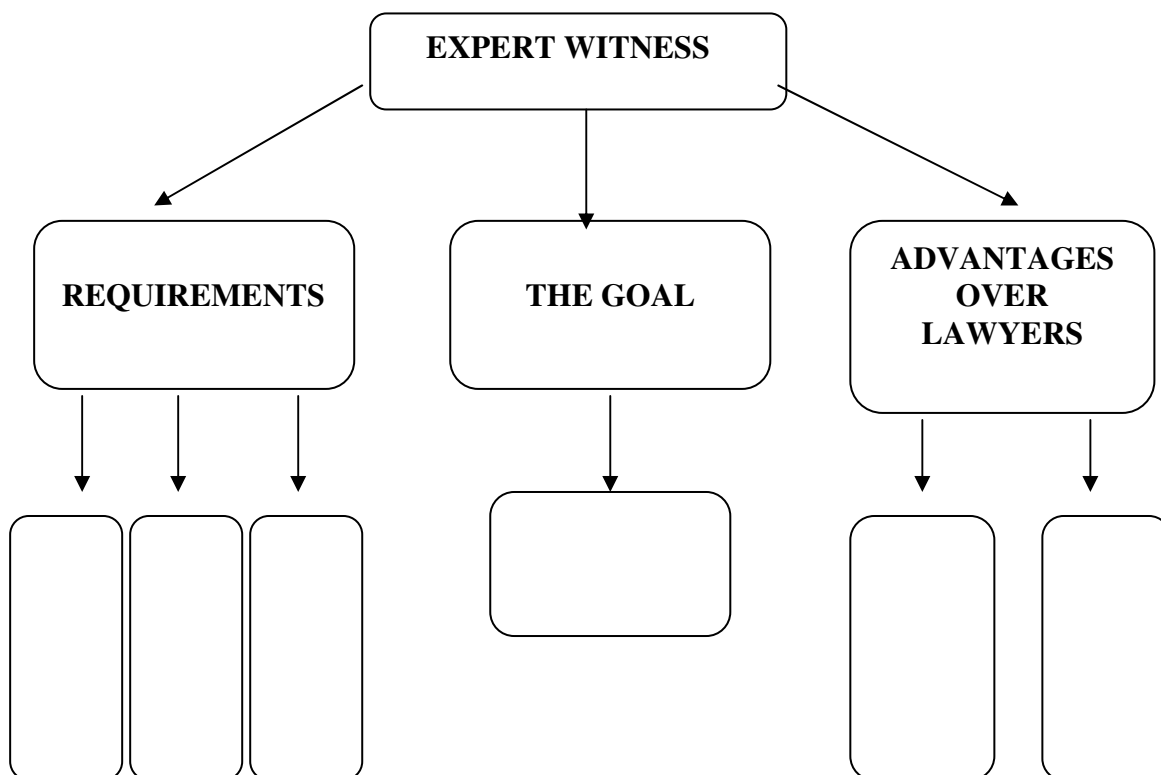
- a) The witness must qualify as an expert by knowledge, skill, experience, training, or education greater than the average layperson in the area of his or her testimony.
- b) The expert must testify to scientific, technical, or other specialized knowledge. The reliability of the testimony is based on valid reasoning and a reliable methodology, as opposed to subjective observations or speculative conclusions.
- c) The expert's testimony must assist the trier of fact, i.e., be relevant to the task of the judge or the jury to understand the evidence or determine disputed facts.

The goal of the expert witness is to communicate to the judge and jury. The single most important way to do this is to use plain language, thereby avoiding what appears to be the hypertechnical language of science.

The expert has a right to state an opinion and give the supporting data and reasons for it, testify in narrative form rather than question and answer (though some judges won't allow narrative), demand to see and examine any published texts being used to cross-examine you, and refuse to state your opinion until you have been compensated.

Testifying is a chance to teach some receptive folks about our very interesting work. Remember this: 1. you know more about the subject than the lawyer does, 2. juries like scientists more than they like lawyers.

10. Заполните схему соответствующей информацией из текста и перескажите текст.



11. Заполните пропуски соответствующими словами из рамки. Подчеркните в тексте инфинитивы и определите их функции в предложении.

WHAT ARE EXPERT WITNESS QUALIFICATIONS?

1. in the case 2. the qualifications of the witness 3. educate the court 4. someone's expertise 5. the prosecution and the defendant 6. have confidence 7. an expert witness 8. truthfulness

There are several ways to determine whether someone is qualified to be an expert witness or not. To establish _____, the court usually inquires about the education, special training, skills and professional knowledge of a person. To establish this, the court lets both the hiring attorney and the opposing counsel to question the witness about his special abilities. The opposing counsel is provided with an opportunity to challenge _____ and preclude him from being accepted by the court.

Once the individual is considered a valuable participant _____, he will be permitted to give his opinions regarding the subject at hand however, if the court didn't recognize this individual, he will not be allowed to give any testimony. Both _____ are allowed to attempt a tactic to recognize once expertise in a particular field. Typically, the hiring attorney meets with the witness to study their every move and answers. This helps in giving the witness a chance to be ready on everything he might come upon on the trial. _____ is a professional and has specialized knowledge in his field that is why it is very important to give the court a straight answer that is confident and easy to understand. This will help the witness to prove that his testimony is real. Also this will help _____ including the judge and the jury in determining and understanding difficult evidence. It is very important that the witness shows no fear and _____ in his testimony so that the jury can establish _____ in his words.

12. Переведите предложения на английский язык.

1. Судебным экспертом является лицо, обладающее специальными знаниями, назначенное судом в соответствии правилами для производства судебной экспертизы и дачи заключения.
2. Законодательство предъявляет специальные требования к судебному эксперту.
3. Основными критериями является высшее специальное образование, стаж работы и подтверждение квалификации.
4. Судебным экспертом, может быть гражданин, обладающий необходимыми для дачи заключения специальными знаниями в области науки и техники.
5. Согласно ст. 80 УПК РФ показания специалиста — сведения, сообщенные им на допросе об обстоятельствах, требующих специальных познаний, а также разъяснения своего мнения в соответствии с требованиями ст. 53, 168 и 271 УПК РФ.
6. Профессиональными качествами эксперта являются наблюдательность, внимание, гибкость, логичность, критичность ума, самостоятельность мышления, способность преодолеть предубеждение или предвзятость.

13. Переведите текст на русский язык письменно.

An expert is someone knowing more and more about less and less, eventually knowing everything about nothing.

Attributed to Sir Bernard Spillsbury, MD

Neither natural scientists nor forensic scientists start from theories or laws when facing the need to explain some puzzling phenomenon. They start from data. And not from commonplace data, but from the surprising anomalies raising the puzzles requiring explanation. Unusual observations suggest explanatory connections to pursue and test. Such connections define evidence, and distinguish data that are evidence from data that remains merely coincidental. In that effort, the natural scientist and the forensic scientist share a fundamental approach belying any simplistic distinction between real science and forensic science.

Usually scientific or other experts offered by attorneys to the court as potential expert witnesses give opinions only within their areas of expertise. Sometimes, lawyers hire an expert simply because the other side hired one first. But, usually, lawyers engage experts when the facts of a case remain unclear, when analytical procedures in some field might help clarify those facts, or when specialized training can help educate the jury in turn to help the jurors make better informed decisions. The goal remains to apply some reliable method to those facts to help the court render its decisions. For forensic scientists, it's all about reliable scientific methods.

14. Прочитайте текст. Составьте план текста и озаглавьте его.

TEXT

(Title) _____

1. _____
2. _____
3. _____
4. _____

Attempting to characterize reliable scientific methods, as if describing some lifeless nonexistent abstraction, remains doomed to failure. There simply is no such generalized abstraction available to describe. At most, we can point toward a simple list detailing some of the many features reliable methods implement, enabling the productive scientific investigation of facts before the court. Reliable methods:

- ✓ Help to distinguish evidence from coincidence without ambiguity.
- ✓ Allow alternative results to be ranked by some principle basic to the sciences applied.
- ✓ Allow for certainty considerations wherever appropriate through this ranking of relevant available alternatives.
- ✓ Disallow hypotheses more extraordinary than the facts themselves.
- ✓ Pursue general impressions to the level of specific details.
- ✓ Pursue testing by breaking hypotheses (alternative explanations) into their smallest logical components, risking one part at a time.

- ✓ Allow tests either to prove or to disprove alternative explanations (hypotheses).

In the forensic sciences, we reason from a set of given results (a crime scene, for example) to their probable explanations (hopefully, a link to the perpetrator). The aims of forensic science rest with developing justified explanations. But obviously not all forensic explanations are alike. Some involve entirely appropriate statistical assessments and degrees of error suitably dependent on accurate mathematical models and accurate population studies. However, not all forensic scientific explanations involve such statistical issues. Instead, individual, nonrepeatable events with no statistical characteristics may demand scientific explanation.

All reliably constructed scientific explanations are best viewed by their creators as works in progress. We could always learn additional facts that may alter our views. Sometimes, however, no additional information would be relevant. In either case, our opinions must be held with what American philosopher and scientist Charles Sanders Peirce called contrite fallibilism. By this is meant an awareness of how much we do not know, and the humility to acknowledge the possibility of making mistakes. He describes this intellectual stance to a friend in personal correspondence.

This basic intellectual stance remains necessary both for essential humility and for the very possibility of scientific advance. Forensic scientists must *develop an intellect not too sure of what must remain uncertain, not too uncertain about what must remain sure*. In the spirit of intellectual honesty and judicial prudence, the best advice for the forensic scientist to carry from the scene to the lab and into court throughout a long career comes from a 20th century Viennese philosopher, Ludwig Wittgenstein: "*Whereof one can not speak,*" he said, "*thereof one must remain silent.*"

Ethics relating to the scientific method:

- A.** The forensic scientist has a truly scientific spirit and should be inquiring, progressive, logical and unbiased.
- B.** The true scientist will make adequate examination of all materials, applying those tests essential to proof. They will not, merely for the sake of bolstering their conclusions, utilize unwarranted and superfluous tests in an attempt to give apparent greater weight to the results.
- C.** The modern scientific mind is an open one, incompatible with secrecy of method. Scientific analyses will not be conducted by "secret process", nor will conclusions in case work be based upon such tests and experiments as will not be revealed to the profession.
- D.** A proper scientific method demands reliability of validity in the materials analyzed. Conclusions will not be drawn from materials which themselves appear unrepresentative, atypical or unreliable.
- E.** A truly scientific method requires that no generally discredited or unreliable procedure be utilized in the analysis.
- F.** The progressive worker will keep abreast of new developments in scientific methods and in all cases view them with an open mind. This is not to say that they need not be critical of untried or unproven methods, but they will recognize superior methods when they are introduced.

15. Ответьте на вопросы.

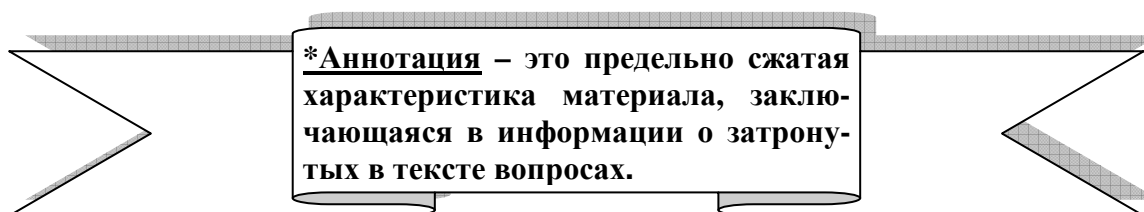
1. What is the text about?
2. What reliable scientific methods are mentioned in the text?
3. Are they described in detail?
4. What have you learnt about forensic explanations?
5. How are the constructed scientific explanations viewed?
6. What does contrite fallibilism mean?
7. What advice for the forensic scientist is given by the author?

8. What ethical considerations should be taken to applying different scientific methods for forensic examination?

16. Сравните информацию из приведенной ниже схемы с информацией, содержащейся в тексте. Может ли данная схема служить планом данного текста? Если Ваш ответ отрицательный, то скажите, какие сведения необходимо добавить.



17. Изучите основные правила составления аннотаций. Напишите аннотацию приведенного выше текста.



Составление аннотации осуществляется на максимальной компрессии (сжатии) текста, т.е. последовательно перечисляются все затронутые в тексте вопросы и сжато излагается основной вывод автора по всей теме и по основным вопросам.

Рекомендации к выполнению задания:

1. Разбейте текст на логически законченные части (обычно это абзацы).
2. Озаглавьте каждый из них (обычно это назывные предложения).
3. Каждую часть (абзац) разбейте на подчасти и озаглавьте их.
4. Итак, вы получили подробный план данного текста.
5. Теперь объедините эту информацию в новый текст, связывая ее своими словами и логико-грамматическими лексическими единицами, обычно в русском языке это сложносочиненные предложения с подчинением, носящие обобщающий характер типа: « В данном тексте автор подробно (вкратце) рассматривает вопрос (вопросы) ...».
6. Не забудьте отдельным предложением подчеркнуть отношение автора, его позицию, новизну рассматриваемого вопроса.

Структура аннотации:

Последовательность изложения материала в аннотации всегда должна быть следующей:

1. Предметная рубрика. В этом пункте называется область или раздел знания, к которому относится аннотируемый текст. Например: *международное публичное право*.

2. Т е м а. Обычно тема определяется наименованием текста, но не всегда наименование называет тему. В этом случае тема формулируется самим референтом.

3. Выходные данные источника. В этой рубрике записывается на иностранном языке автор, заглавие, журнал, книга, издательство, место и время издания, название статьи или текста. Затем эти же данные даются в переводе на русский язык. Эта рубрика является очень важной для всякой аннотации, так как позволяет легко найти сам первоисточник.

4. С ж а т а я х а р а к т е р и с т и к а м а т е р и а л а. Здесь последовательно перечисляются все затронутые в первоисточнике вопросы и основной вывод автора материала по всей теме и по основным ее вопросам.

5. К р и т и ч е с к а я о ц е н к а п е р в о и с т о ч н и к а. Эта рубрика может содержаться не в каждой аннотации, так как сам референт далеко не всегда может дать такую критическую оценку, но наличие такой рубрики является весьма желательным. Обычно референт излагает свою точку зрения на актуальность материала, указывает, на кого рассчитан данный материал, какой круг читателей он может заинтересовать. Более специальных суждений референт, как правило, не делает.

Составленная по такой структуре аннотация является ценным материалом для ориентации заинтересованных лиц в потоке информации и способствует систематизации первоисточников.

Заполните бланк аннотации текста:

АННОТАЦИЯ

1. Предметная рубрика:

2. Тема:

3. Выходные данные:

4. Характеристика:
В данном тексте автор _____

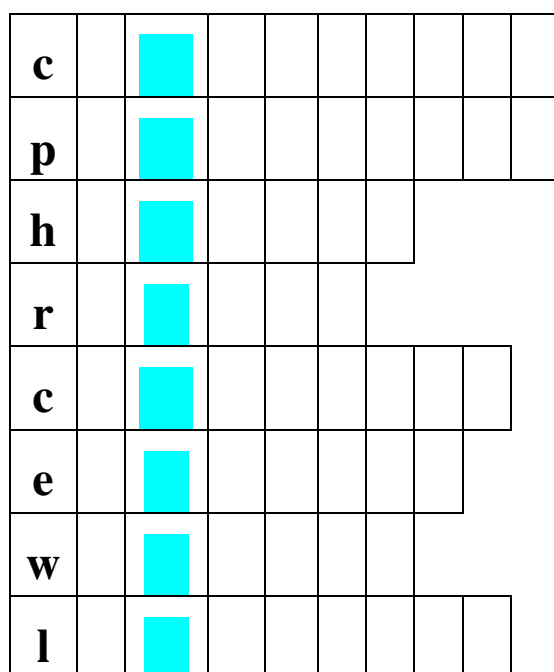
UNIT 5. TEST YOURSELF

1. Решите кроссворд. Найдите спрятанное слово по вертикали.

По горизонтали:

1. The state of being bound emotionally or intellectually to a course of action.
2. A lawyer who works in court against a person charged with crime.
3. A pleasing or suitable arrangement of parts.
4. A normal mental state; sanity.
5. A person who is easily recognized in a society or culture.
6. The documentary or oral statements and the material objects admissible as testimony in a court of law.
7. A person who is able to report on something seen.
8. An ordinary man.

Спрятанное слово по вертикали: A system of ideas of right and wrong conduct.



2. Выберите правильный вариант ответа.

1. Expert witnesses can be declared by ...

- a) law
- b) prosecutor
- c) judge

2. Criminal justice system protects ...

- a) law
- b) an innocent
- c) principles

3. The goal of the expert witness is

- a) to communicate to the judge and jury
- b) to say nothing
- c) to protect the accused person

d) to speak about his/her knowledge

4. The expert has a right to

- a) state an opinion and give the supporting data and reasons for it
- b) testify in narrative form, demand to see and examine any published texts being used to cross-examine you
- c) refuse to state your opinion until you have been compensated
- d) all listed above

5. A zealous forensic scientist may ...

- a) misinterpret or falsify the results
- b) prove the truth
- c) balance emotions with reason

6. The best advice for the forensic scientists is ...

- a) to keep the mind open
- b) to keep silence when can't speak
- c) "it takes two to speak the truth – one to speak and the other to hear".

3. Прочитайте текст.

Like members of the legislative and executive branches, federal judges in the USA are expected to have high standards of ethics. All federal judges follow the principles outlined in the Code of Conduct for United States Judges, which has been adopted by the Judicial Conference of the United States, the federal courts' national policy-making group. The Code of Conduct includes these guidelines:

- A judge should uphold the integrity and independence of the judiciary.
- A judge should avoid impropriety and the appearance of impropriety in all activities.
- A judge should perform the duties of the office impartially and diligently.
- A judge may engage in extrajudicial activities to improve the law, the legal system, and the administration of justice.
- A judge should regulate extrajudicial activities to minimize the risk of conflict with judicial duties.
- A judge should regularly file reports of compensation received for law-related and extrajudicial activities.
- A judge should refrain from political activity.

According to these ethical standards, judges should not hear cases in which they have a financial interest, a personal bias regarding a party to the case, or earlier involvement in the case as a lawyer. Further, judges are expected to participate in activities that contribute to the public good through improvement of the legal and judicial systems, and as a result, many judges are engaged in law-related education activities in schools.

4. Согласитесь или опровергните утверждения.

1. According to the Code of Conduct for Judges a judge should do the job fairly and unbiasedly.

- a) true
- b) false
- c) there is no information in the text.

2. According to the ethical standards, judges should refuse to hear cases in which they have a financial interest, a personal bias regarding a party to the case.

- a) true
- b) false
- c) there is no information in the text.

5. Определите предложение, выражающее основную идею текста.

1. A judge should be an absolutely honest person.
2. According to the Code of Conduct a judge should satisfy certain ethical standards.
3. A judge should perform the duties of the office impartially.

GLOSSARY

1 ambiguity - двусмысленность, неопределенность

2. commitment to – (философия) приверженность, связь, обязательство

~ to principles – приверженность принципам

~ ideals - ~ идеалам

ideological ~ - идейность

3. ethics – этика, учение о морали

Code of ~ моральный кодекс

4. hypothesis – гипотеза

~ and verification – гипотеза и проверка

~ justification – подтверждение гипотезы

hypotheses management – манипулирование несколькими гипотезами

~ test – критерий для проверки гипотезы

~ validity – справедливость гипотезы

rival hypotheses - конкурирующие гипотезы

5. investigation – расследование, следствие, обследование, исследование, изыскание

Federal Bureau of ~ - Федеральное Бюро Расследований (ФБР)

field ~ - расследование на месте преступления

~ expert – эксперт, назначенный следствием

~ files – следственный архив

judicial ~ - судебное расследование

6. moral – моральный, нравственный

morality – нравственность

morals - нравы, нравственность

~ certainty – внутреннее убеждение

7. reason – причина, мотив, соображение, благоразумие

by ~ of - в силу чего-либо

good ~ - достаточное основание

important ~ - уважительная причина

reasons beyond control – независимые обстоятельства

rule of ~ - требование применить здравый смысл

8. science - наука

~ and technology – наука и техника

forensic ~ - судебная наука

legal ~ - правоведение, наука права

~ of law – юридическая наука

9. temptation – соблазн, искушение

to carry away by ~ - поддасться искушению

to fight against ~ - бороться с искушением

to repel ~ - победить искушение

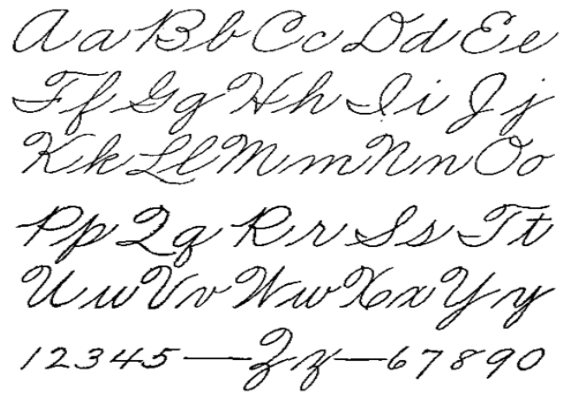
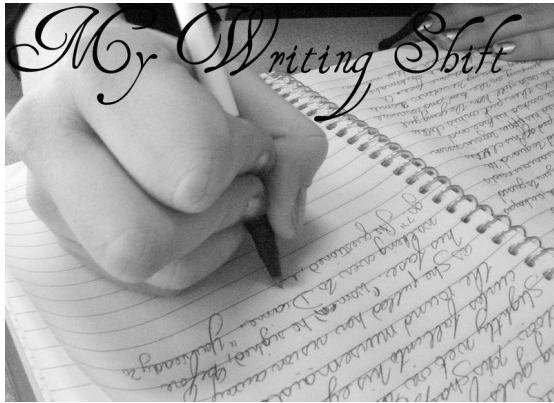
to resist ~ - устоять перед искушением

MODULE 11

FORENSIC DOCUMENT EXAMINATION

UNIT 1. INTRODUCTION

The discipline is known by many names including forensic document examination, questioned document examination, handwriting examination, or sometimes handwriting analysis, although the latter term is not often used as it may be confused with graphology.



Times New Roman
New Roman Italic
Arial and Arial Italic
Filled Arial & Italic
Connective Script
Fancy Cursive Script
Old English and Italic
Old English Newsprint
Journal Old English
Brush Stroke



1. Посмотрите на рисунки и определите, какие слова помогут Вам описать каждый из них.

Writing, pen, pencil, ballpoint pen, paper, type-writer, alphabet, penmanship, style of handwriting, ink, letters, rubber stamp, font style, lines, cursive writing,

2. Прочитайте определения данных выше слов, и переведите эти слова на русский язык.

1. **Writing** is a system of human visual communication using signs or symbols associated by convention with units of language meanings or sounds recorded on materials such as paper, stone, or clay.
2. A **ballpoint pen** is a writing instrument which features a tip that is automatically refreshed with ink.
3. **Penmanship** is the technique of writing with the hand using a writing instrument.
4. **Rubber stamp** is a piece of rubber affixed to a handle and bearing raised characters used to make ink impressions, as of names or dates.
5. **Font style** is a typeface variation (normal, bold, italic, bold italic).
6. **Line** is a horizontal row of printed or written words or symbols.
7. **Cursive** is any style of handwriting that is designed for writing notes and letters quickly by hand. In the Arabic, Latin, and Cyrillic writing systems, the letters in a word are connected, making a word one single complex stroke. In fact, the word comes from the Latin *cursivus*, meaning "flowing".

3. Замените русские слова в скобках на их английские эквиваленты. Переведите предложения.

1. The advent of the (пишущей машинки) in 1873 reduced the need for handwriting.
2. Today the influence of the early (алфавитов) is seen throughout Europe and the Americas.
3. (Письменность) evolved because people had a desire to communicate their thoughts with others.
4. A forensic document examiner deals with items such as (чернила, карандаш, бумага).
5. (Школы каллиграфии) became extinct early in the 20th century as the typewriters replaced handwriting in modern business.
6. For typing, the document examiner observes characteristics of the typeface, (полиграфического шрифта), spacing between letters and (строками).

4. Найдите ответы на вопросы.

1. What is the origin of the word "alphabet"?
2. What contribution did Romans do in the development of alphabet?
3. What does the word "italic" mean?
4. What alphabet is used in Russia and Eastern European countries?
 - a) Our present cursive handwriting is called italic, the word which comes from Italy. Today italic means script that slants to the right.
 - b) The word stems from the first two letters of Greek alphabet, alpha and beta. Their alphabet consists of 24 letters.
 - c) The Cyrillic alphabet derived from the Greek is used in Russia and Eastern European countries. This alphabet was introduced by St. Cyril and Methodis who proselytized* the Slavic tribes of East Europe in the ninth century.
 - d) The Romans borrowed the alphabet from the Greek and gave letters their names. For several centuries their writing consisted of disconnected capital letters then they invented the lower-

case letters that were patterned from the capital letters. These letters simplified the forms and made it easier to copy manuscripts.

**to proselytize – обращать в другую веру*

5. Прочитайте текст и ответьте на вопросы.

1. What will you do as a forensic document examiner?
2. How does a forensic document examiner work?
3. What problems does a forensic document examiner resolve?
4. What kind of documents does a forensic document examiner study?
5. What is the role of a forensic document examiner as a witness?
6. What qualifications should a forensic document examiner satisfy?
7. What educational qualifications are required?

TEXT

If you become a document examiner, you will not conduct crime scene searches, street investigations, interviews, or interrogations. Document examiners are laboratory investigators — not field investigators — most of the time. But know this, as a document examiner you will not be bored. Be assured, you will not find your work routine or mechanical.

You will usually work your cases solo — just you and the documents. You will use your eyes, your intellect, your experience, and optical tools such as the stereo-binocular microscope and camera. Examining questioned documents is a personal and mostly subjective decision-making business. When the examiner's name on the report is yours, you alone will be responsible for the findings and conclusions. And you will be expected to show judges and jurors why you believe you are right. And you will do it alone.

So as a forensic document examiner you will usually have two basic problems to resolve: (1) solving the evidence puzzle itself and (2) convincing judges and jurors that your opinions (conclusions) are correct.

A forensic document examiner studies all aspects of a document to determine its authenticity and origin, including handwriting, typewriting, printing, photocopies, inks and papers. Examiners look for clues that point to forgery. Having found they also try to determine where the forgery originated. Some of the most frequently examined documents are wills, medical records, loan agreements, contracts, checks, and letters that have no identified authors.

Forensic document examiners also testify as expert witnesses in court. A Forensic Document Examiner (also known as Questioned Document Examiner) discovers and develops evidence from a document or signature that can be used in a Court of Law. Forensic document examiners may cross and examine all forms of documents without losing any credibility in their testimony.

A Forensic Document Examiner must be a person of good moral character, high integrity, and good repute and must possess high ethical and professional standing.

A Forensic Document Examiner must have a sound basic education through the Bachelor degree. The typical training period is two years of study and practical experience in an established questioned documents laboratory where the examiner trainee studies the basic literature, completes study projects, becomes familiar with the role of forensic sciences in general and questioned documents in particular as they relate to the legal system.

6. Прочитайте, что является объектами исследования судебной экспертизы документов. Переведите их названия на русский язык. Выберите любые пять и выпишите из толкового словаря их дефиниции.

- Handwriting (cursive / printing) and signatures
- Typewriters, photocopiers, laser printers, ink jet printers, fax machines
- Rubber stamps, Price markers, Label markers
- Printing processes
- Ink, pencil, paper
- Alterations, additions, erasures, obliterations

7. Работа в парах. Прочитайте пример судебного дела, исход которого определило проведение почерковедческой экспертизы. Обсудите в форме диалога, какими профессиональными знаниями и качествами должен обладать эксперт.

Case Study: Insurance Fraud

Background

A life insurance agent was “selling” insurance policies to people without their knowledge and consent. The people were elderly immigrants from Eastern Europe. The agent falsified the medical information and changed the age of the insured. He was caught because the handwriting did not match the insured’s normal writing.

Question

What alphabet would immigrants of Eastern Europe use?

Answer.

The Cyrillic alphabet.

Outcome

The document examiner determined that the handwriting of the immigrants was based on the Cyrillic alphabet, whereas the signatures in question were not. The insurance company sued the agent and recouped its losses.

UNIT 2. BASIC PRINCIPLES OF HANDWRITING

1. Прочитайте и переведите текст.

TEXT

BASIC PRINCIPLES OF HANDWRITING

No two people write exactly alike. The principles of handwriting identification are based on basic scientific truths about handwriting. The first and foremost of these scientific truths is that no two people write exactly alike in an extended handwriting sample. The use of a signature in legal and financial transactions is possible because unique characteristics in an individual's handwriting distinguish it from every other handwriting. This principle enables document examiners to differentiate genuine and non-genuine writing and to identify the author of a sample of handwriting.

The second basic scientific truth about handwriting is all writing contains natural variation so that no two writing samples by the same writer will be exactly the same. There are slight devia-

tions in all handwriting characteristics. The document examiner must learn to distinguish between natural variation and a different writer.

Writing is a complex act and a highly developed skill. Many influences affect the development of each person's writing ability, resulting in the unique style of each individual writer. These influences continue to occur throughout the life of the writer.

Physical factors, including hand-eye coordination, flexibility of wrist movement, and the grip of the writing instrument, play a part in the development of handwriting skills. Other factors include attitude and discipline. If handwriting is important to the writer, he or she will expend more effort in learning to write. Taking care to adhere more closely to the written model, the writer will continue practicing until reaching a skill level that is comfortable. Each person attains a level of skill that he or she finds acceptable. The more an individual practices writing, the better the skill.

Just how does the act of writing occur? Skilled writing uses arm, wrist, and finger movement. The arm moves across the paper as writing is produced so that the pen is presented at the proper location for writing. The arm may be in continual movement, or it may rest on the writing surface and move in segments as necessary. Skilled writers use a combination of finger, wrist, and arm movements to accomplish the act of writing. Poor writers use only their fingers and have to constantly lift and move their hand to reach across the page. Some writers use only arm movement, which is more difficult.

Writing becomes automatic to the point where the operation not only requires almost no conscious direction but is frequently beyond the control of the mind or the hand. This is evident when someone tries unsuccessfully to disguise his or her handwriting. The habits are so ingrained that the writer cannot eliminate all the characteristics comprising his or her writing style.

2. Соотнесите английские словосочетания из текста с их русскими эквивалентами.

1. handwriting identification	a. подделывать ч-л почерк
2. handwriting sample	b. высоковыработанный почерк
3. document examiners	c. исключать все признаки
4. to differentiate genuine and non-genuine writing	d. образец почерка
5. to identify the author	e. люди с маловыработанным почерком
6. to contain natural variation	f. установление исполнителя (рукописи)
7. slight deviations	g. эксперт судебного почерковедения
8. person's writing ability	h. отличать подлинные и неподлинные рукописи
9. flexibility of wrist movement	i. достичь уровня сформированности (выработанности) почерка
10. grip of the writing instrument	j. содержать естественное видоизменение
11. to reach a level of skill	k. выработанность почерка человека
12. skilled writing	l. мельчайшие отклонения
13. poor writers	m. свобода движений в области запястья
14. to disguise sb's handwriting	n. захват пишущего предмета (постановка руки при написании)
15. to eliminate all the characteristics	o. установить исполнителя, автора

3. Работа в парах. Задайте друг другу вопросы по тексту, переделав их из косвенных в прямые, и ответьте на них.

1. I wonder if two people can write exactly alike.
2. I wonder who can differentiate genuine and non-genuine writing.
3. I wonder if writing is a complex act and a highly developed skill.
4. I wonder what results in the unique style of each individual writer.
5. I wonder what skilled writing uses.
6. I wonder if poor writers use only their fingers.
7. I wonder when writing becomes automatic.

4. Замените русские слова и словосочетания, стоящие в скобках, на их английские эквиваленты из рамки.

1. index finger, 2. to extend the writing line, 3. writing instrument, 4. offers resistance, 5. in a rightward and upward direction, 6. writing area, 7. the left margin, 8. right-handed writers, 9. is covering the line of writing, 10. contraction and release, 11. strokes

The wrist is flexed to assist in the movement of the (пишущий предмет). The wrist will bend to assist the writer in reaching the (зона письма). When the wrist can no longer reach, the arm slides forward toward the right margin (продолжить строку). The arm is pulled back to (левому полю) to start the next line of writing. The paper may be adjusted as well to assist the writer in reaching the available writing surface. The fingers work together to produce the forms of writing. When one finger pushes the writing instrument another (оказывает сопротивление), which controls the motion. The (напряжение и расслабление) flow together to push the pen away and pull it back again. The (штрихи) turning leftward and downward require contraction of the muscles, and the upward and rightward strokes involve the release of the muscles. Thus, downward writing is better controlled.

(Праворукие) use their thumb to exert pressure on the writing instrument to push it horizontally (вправо и вверх). The middle finger pushes the writing instrument leftward both diagonally and horizontally while the thumb and (указательный палец) pull the instrument down toward the baseline, which is the imaginary line to which the writing returns.

Because writer movement is from left to right, the right-handed writer has the advantage of being able to see the writing as it is being executed. The left-handed writer must adjust his or her hand to compensate for the fact that the hand (закрывает строчку) as it is being executed. Many left-handed writers hook their hand over the writing so they can see what they are writing.

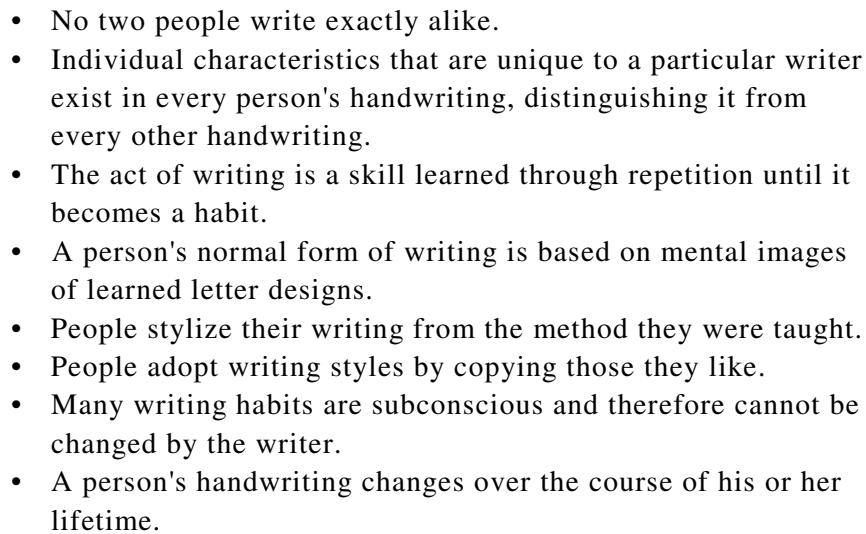
5. Работа в парах. Расскажите своему коллеге, что Вы прочитали в документе, написанном ниже, о принципах, которые помогают эксперту определить исполнителя текста при проведении почерковедческой экспертизы. Пользуйтесь моделями 1 и 2.

Model 1.

The document says that no two people **write** exactly alike.

Model 2.

The document **said** that no two people **wrote** exactly alike.

- 
- No two people write exactly alike.
 - Individual characteristics that are unique to a particular writer exist in every person's handwriting, distinguishing it from every other handwriting.
 - The act of writing is a skill learned through repetition until it becomes a habit.
 - A person's normal form of writing is based on mental images of learned letter designs.
 - People stylize their writing from the method they were taught.
 - People adopt writing styles by copying those they like.
 - Many writing habits are subconscious and therefore cannot be changed by the writer.
 - A person's handwriting changes over the course of his or her lifetime.

6. Прочитайте и переведите текст.

TEXT

HANDWRITING IN FORENSICS

A person's handwriting has long been recognized as a form of human identification. Handwriting, like fingerprints, contains a combination of characteristics. One of the first things the forensic scientist looks for is the way the lines form the letters. He looks at strokes, pressure, slants, heights, loops, letter spacing, proportions, dotted "i's" and crossed "t's" etc. The writing strokes consist of lines and curves in various directions, forming individual letter shapes. Lines can be vertical, horizontal, or diagonal. Curves are loops, circles, or parts of circles. Letter designs are the most easily identifiable feature of handwriting. Forgers copy letter designs while disregarding other characteristics of the writing. Each letter has a distinguishing element that makes it unique. For example, the *t* has crossbar, the *i* and *j* have a dot, and the *f* is the only lower case cursive letter that spans all three zones of writing because it has both upper loop and a lower loop. The letter *p* can occupy both zones if the upstroke is added. Connecting strokes joint the letters in words. They are also called ligatures. Letters in a word may be connected or disconnected. Connectors can consist of arches, angles, or thread connections.

When analyzing writing style, the forensic scientist looks at the handwriting in general, much like you would look at a painting. Make mental notes of the most outstanding traits and try to get a general feeling of the writer. Then, determine the emotional energy of the writer. This is the most important factor of the personality of the writer. A forensic scientist also looks to see if people make ornaments such as circles, etc. The scientist also looks at spelling, punctuation, and grammar.

Spelling and punctuation cannot be used exclusively to identify handwriting, but they can aid in identification. All of these characteristics are useful in identifying the writing of a letter or a document. The examiner must be cognizant of the differences between "class characteristics" and "individual characteristics". Class characteristics are those which are common to a group such as a particular writing system, family grouping, foreign language system, or professional group. Individual characteristics are those which are personal or peculiar letters or letter combinations, which, taken together, would not occur in the writing of another person. For example, pen scope is the distance the pen covers before the writer moves his or her hand to continue the writing act. It is possible to identify the pen scope by the breaks between letters, syllables, or words. This is one of the factors that can assist in the identification of a particular writer because pen scope is an individual characteristic.

When a forensic scientist suspects a person in a forgery case, one of the first things he does is to get a handwriting sample from that suspect - an exemplar. Usually, the scientist tries to get the suspect to write the same text as the suspected forged document with the same type of writing instrument as the forgery (pencil, ballpoint pen, fountain pen, marker, etc.). If the forensic scientist has enough handwriting samples from the suspect, he can usually determine whether or not the suspect has written certain documents.

7. Найдите в тексте английские эквиваленты русским словам и словосочетаниям.

Почерк; образец почерка; написание черты, перечеркивающей буквы t, f; общие характеристики; индивидуальные особенности; расстояние между буквами; постановка точки над буквой i; подделка; опознавание человека; определить эмоциональное состояние, должен знать разницу; степень связанности.

8. Соотнесите английские слова с их русскими эквивалентами.

1. letter	a. петля, округлость
2. stroke	b. наклон
3. pressure	c. степень связанности
4. slant	d. буква
5. height	e. орфография, правописание
6. loop	f. образец
7. spelling	g. распознавание, опознавание
8. punctuation	h. лигатура (соединение)
9. exemplar	i. высота, верхушка, вершина
10. identification	j. пунктуация
11. ligature	k. нажим, черта
12. pen scope	l. черта, штрих
13. proportion	m. разгон (соотношение высоты знаков и их ширины)

9. Определите, дефиниции каких слов из задания 2 и 3 приводятся ниже.

1. A line, plane, course, or direction that is other than perpendicular or horizontal; a slope.
2. The writing characteristic of a particular person.
3. The forming of words with letters in an accepted order; orthography.
4. The action or process of identifying.
5. The making of a false writing with the intent to defraud.
6. A written symbol or character representing a speech sound and being a component of an alphabet.

7. A light caressing movement, as of the hand.
8. The distance from the bottom to the top.
9. Something having a shape, order, or path of motion that is circular or curved over on itself.

10. Заполните пропуски соответствующими словами из рамки.

a) slant, b) letter spacing, c) handwriting samples, d) handwriting, e) individual characteristics, f) identification, g) pressure, h) class characteristics

1. The author of the letter is an ambitious achiever, because his _____ is dynamic, strong and cheerful.
2. Handwriting _____ was one of the factors that led to the capture of the criminal.
3. We developed _____ that are unique to us and distinguish our handwriting from someone else's.
4. Handwriting identification is a comparison analysis of the questioned writing with known _____.
5. Different writing characteristics are called handwriting indicators or writing traits. Examples include writing size, _____ and _____.
6. _____ belong to the system or style of writing the person learned. They may also be forms or features added to letters by environmental or cultural influences.
7. People who write with wide _____ reach out to the world and to others. They ask for help when they need it, and are willing to try new things.

11. Найдите в тексте синонимы словам, приведенным ниже.

Pattern, slope, to establish, counterfeit, orthography, penmanship.

12. Закончите предложения, в соответствии с содержанием текста.

1. Handwriting contains
2. The forensic scientist looks at
3. Class characteristics are those which
4. Individual characteristics are those which
5. When a forensic scientist suspects a person in a forgery case
6. If the forensic scientist has enough handwriting samples from the suspect

13. Переведите предложения на русский язык, обращая внимание на значения фразового глагола 'look'.

1. The forensic scientist **looks for** is the way the lines form the letters.
2. When analyzing writing style, the forensic scientist **looks at** the handwriting in general.
3. He **looks at** strokes, pressure, slants, heights, loops, letter spacing, dotted "i's" and crossed "t's".
4. A forensic scientist also **looks to** see if people make ornaments such as circles.
5. He **looked through** the questioned document.
6. **Look ahead!** This laboratory experiment is very dangerous.
7. I am **looking forward to** hearing from you soon.

14. Выберите соответствующий предлог и переведите предложения на русский язык.

1. Who is going to look ___ the child while her mother is away?
 - a. after
 - b. for
 - c. at
2. When she got the promotion, she started to look ___ on the people she used to work with.
 - a. up
 - b. for
 - c. down
3. At this moment, it's nonsense to look ___ results.
 - a. about
 - b. for
 - c. in
4. We must look ___ all the applications before we decide to hire someone.
 - a. for
 - b. up
 - c. over
5. People looked ___ him as a great leader.
 - a. on
 - b. forward
 - c. in
6. I'm looking ___ to visiting my relatives in California.
 - a. for
 - b. forward
 - c. up
7. He is really lucky! He got a room that looks ___ on the sea.
 - a. up
 - b. over
 - c. out
8. I'm sure you have written that down. Look ___ your notes and you will find it.
 - a. round
 - b. at
 - c. together
9. Students usually look ___ the counselor to help them choose a career.
 - a. at
 - b. to
 - c. into
10. If you don't know the word, look it ___ in the dictionary.
 - a. up
 - b. for
 - c. at

15. Переведите предложения на английский язык.

1. Судебное почерковедение изучает почерк, разрабатывает методы его исследования с целью раскрытия преступлений или установления конкретных обстоятельств по гражданским делам.
2. Общие признаки почерка характеризуют почерк определенного лица в целом и включают наклон, размер букв, нажим и т. д.
3. Частные признаки почерка отражают особенности движений при написании отдельных букв и их элементов (штрихов).
4. Для проведения экспертизы, ученые отбирают образцы почерка лиц, подозреваемых в

подлоге.

5. Эксперты утверждают, что по почерку можно определить эмоциональное состояние человека, его настроение.

6. Криминалисты, исследуя документ, анализируют его стиль, орфографию, пунктуацию, грамматику, общие и частные признаки почерка.

16. Работа в парах. Выступите в качестве эксперта. Проанализируйте образцы почерка, демонстрирующие разную степень связанности и выработанности почерка. Обсудите образцы, задавая друг другу вопросы, используя ключевые слова из рамки и подрисуночные подписи.

handwriting sample, skilled writing, a poor writer, pen scope, a stroke, a slant, proportion, line quality, speed, connecting strokes (ligatures), the rhythm of the writing

Model:

- I think the handwriting sample in figure 2.2. is accomplished by a poor writer.
- Why do think so?
- I think so because there are no connected strokes and

Pen scope is one letter.

Fig. 2.2. Writing created using only finger movement, requiring the writer to adjust the writing instrument for each individual letter.

Pen scope is one syllable.

Fig. 2.3. Writing created using wrist movement, enabling the writer to complete one syllable before adjusting the writing instrument.

Pen scope is one phrase.

Fig. 2.4. Writing created using the whole arm, enabling the writer to write a complete sentence before readjusting the writing instrument.

Mary Helen Bean

Fig. 2.6. Good rhythm showing consistent slant, even spacing, and an even return to the baseline, revealing a highly skilled writer.

Ashley Brozys

Fig. 2.7. Poor rhythm showing variable slant and a moderate skill level.

UNIT 3. FORENSIC DOCUMENT EXAMINATION

1. Прочитайте текст. Ответьте на вопросы.

1. Why is there a need for questioned document examination (QDE)?
2. What physical traces can assist to the forensic document examiner?
3. How can the forensic document examiner investigate handwriting/typing?
4. What types of documents are usually disputed?
5. How many stages are there in the process of examination? Name them.
6. What optional stage may be used by the examiner?
7. How has the work of the forensic document examiner been simplified nowadays?

TEXT

FORENSIC DOCUMENT EXAMINATION

Document Examination, as an established field of scientific study, came into being early in the 20th century as a means of identifying forgery and establishing the authenticity of documents in dispute. It grew out of the need of the Court to be able to correctly evaluate document evidence.

The examination of questioned documents relies on the scientific study of the physical evidence of a document. Physical traces that assist in the questioned document (QD) examination to uncover the history of a document are left in a number of ways: the writing instrument, i.e. pen and ink, pencil, typewriter, computer and printer, etc., the writing surface, such as paper, and information about the writer (or typist), such as physical position and physical, emotional, or mental state. For handwriting, the forensic document examiner observes various features: letter size, formation, and relative proportions, and letter slant, spacing, pressure, line quality, connecting strokes, etc. For typing, the document examiner observes characteristics of the typeface, font style, spacing between letters and lines, and association of a document with a particular machine or type of machine, i.e., typewriter, printer, or copier.

Common criminal charges involved in a document examination case include identity theft, forgery, counterfeiting, fraud, or uttering a forged document. A questioned document may be a sheet of paper bearing handwriting or mechanically-produced text such as a ransom note, a forged cheque or a business contract. It also includes things like graffiti on a wall, stamp impressions on meat products, or covert markings hidden in a written letter, among other things.

The most common type of examination involves handwriting. Handwriting identification is based on the principle: there are individual features that distinguish one person's writing from that of another. Generally, there are three stages in the process of examination:

Analysis: The questioned and the known items are analyzed and broken down to directly perceptible characteristics.

Comparison: The characteristics of the questioned item are then compared against the known standard.

Evaluation: Similarities and/or differences in the compared properties are evaluated and this determines which ones are valuable for a conclusion. This depends on the uniqueness and frequency of occurrence in the items.

Optionally, the procedure may involve a fourth step consisting of verification/validation or peer review.

Modern day questioned document problems are becoming more complex. Fortunately with the advent of specialized photographic techniques, computer-based systems for image enhancement, and recent developments in relative ink and paper dating by forensic chemists, the arsenal of analytical tools continues to expand with more conclusive determinations being made by the competent expert who is familiar with their proper applications and uses.

2. Соотнесите английские слова и словосочетания из текста с их русскими эквивалентами.

1. to come into being	a. уникальность
2. to identify forgery	b. системы для увеличения изображения
3. to establish the authenticity	c. появиться
4. to evaluate document evidence correctly	d. частота встречаемости
5. to uncover the history of a document	e. определить подделку
6. uniqueness	f. правильно оценить документ в качестве доказательства
7. frequency of occurrence	g. установить подлинность
8. systems for image enhancement	h. раскрыть историю создания документа

3. Согласитесь или опровергните утверждения.

1. The examination of questioned documents relies on the scientific study of the physical evidence of a document.
2. Physical traces that assist in the questioned document examination are left in a number of ways.
3. For typing the forensic document examiner observes various features: letter size, formation, and relative proportions, and letter slant, spacing, pressure, line quality, and connecting strokes.
4. For handwriting the document examiner observes characteristics of the typeface, font style, spacing between letters and lines.
5. A questioned document doesn't imply a sheet of paper bearing handwriting or mechanically-produced text such as a ransom note, a forged cheque or a business contract.
6. The most common type of examination involves handwriting.
7. The process of examination usually includes three stages.
8. They are analysis, comparison and verification.

4. Переведите предложения. Подчеркните сказуемые предложений. Определите их форму.

1. Handwriting identification is based on some principles.
2. The questioned and known items are analyzed and broken down to directly perceptible characteristics.
3. The characteristics of the questioned item are then compared against the known standard.
4. Similarities and/or differences in the compared properties are evaluated by forensic document examiners.

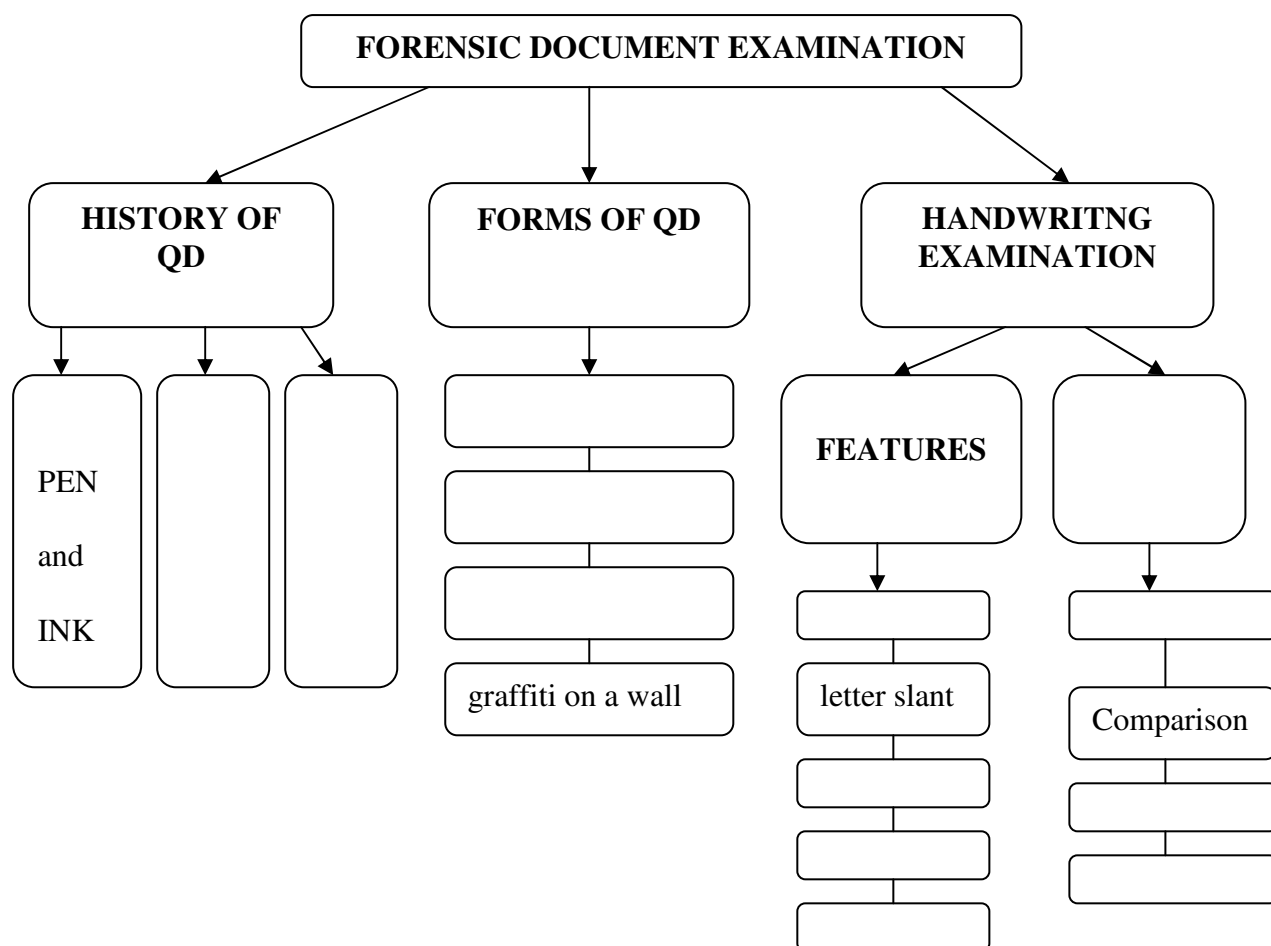
5. Измените сказуемые, стоящие в активном залоге, на пассивный залог. (Возможно несколько вариантов).

1. They have given Bishop Tutu the Nobel Prize.
2. The police allege that Simpson robbed three banks last year.
3. The company says that the production figures have fallen short of expectation.
4. The police have given everyone two weeks to surrender any guns which they may possess illegally.
5. They say he was cleaning his pistol and carelessness caused his death.
6. Evidence shows that Jackson was inside the house at the time of murder.
7. Please, don't come to the station with me. I hate people saying goodbye to me through the window of a train.
8. They say the Princess is staying at the Hilton.

6. Составьте предложения (слово, начинающее предложение, выделено жирным шрифтом) и переведите их на русский язык.

1. documents in dispute, a means of, the authenticity of, is, **Document Examination**, and, identifying forgery, establishing.
2. are, the information, **physical traces**, the writing instruments, the writer, assist, the history of a document, about, and, the writing surface, that, to uncover.
3. graffiti on a wall, may, a sheet of paper, be, forged cheque, etc., **a questioned document**, a ransom note.
4. the principle, individual features, **handwriting identification**, one person's writing, based on, from, is, distinguish, that, that of another, there are.
5. in the process of, stages, there, analysis, three, evaluation, **generally**, comparison, are, examination, and.
6. consisting of, the procedure, a fourth step, **optionally**, may, verification/validation, involve, peer review, or.

7. Используя информацию из текста, заполните схему .



8. Используя информацию из схемы, напишите аннотацию текста.

UNIT 4. GRAPHOLOGY VS. FORENSIC DOCUMENT EXAMINATION

1. Прочитайте и переведите текст.

TEXT

GRAPHOLOGISTS VS. FORENSIC DOCUMENT EXAMINERS

Generally, two categories of individuals are located during inquiries for questioned document examiners. These are Graphologists and Forensic Document Examiners. Although a forensic document examiner is not to be confused with a graphologist, and vice versa.

In the strict sense, graphologists claim to be capable of interpreting the character or personality of the writer by supposed traits left behind in the written line. They do not, by definition, compare handwriting to determine authorship or genuineness of the document.

Graphology is the study and analysis of handwriting especially in relation to human psychology. The activity dates back many centuries, having originally (as far as we can tell) been taken from Southern India to China and from there to Greece, circa 2,000 BC. Aristotle claimed that he could define a person's soul from studying his handwriting. The Roman historian Suetonius claimed that Emperor Augustus did not separate his words which led him to conclude that the Emperor did not pay attention to detail in forming a picture of the whole situation. In 1870 French monk named Jean Hippolyte Michon coined the phrase "Graphology" (from the Greek: "Graph" meaning, 'To write' or 'I write', and "Logos" meaning 'doctrine' or 'theory'), believed the brain, and not the hand, controlled handwriting. He broke handwriting down into a series of strokes, assigning a personality trait to each stroke.

Those who specialize in graphology, the practice of handwriting analysis, believe your penmanship harbours more than the power of self-expression; they believe it bears the unique imprint of your personality. Handwriting reveals hundreds of elements of the person's "personality and character" which includes glimpses into the subconscious mind, intellect, energy, fears, motivations, imagination, integrity, aptitudes, etc.

For instance, pressure indicates the capacity for vigorous activities. The slant indicates the writer's emotional response to external forces. Most of us write average size, indicating an average ability to concentrate. We have to force ourselves to concentrate on minor details, especially for long periods of time.

Handwriting analysis or study does neither foretell the future, nor does it reveal the past. It can only help you to gain an understanding and insight into the personality of other people, especially those close to you by providing a map to somebody's inner self, level of satisfaction with the present situation, and future level of achievement. Some graphologists claim that a self-study and subsequent change of one's handwriting could control alcoholism, reduce depression and loneliness, turn failure (both social and business) into success, and cause many other miracles.

Questioned document examination is a branch of the forensic sciences. A document examiner is often asked to determine if a questioned item originated from the same source as the known item(s), and then present their opinion on the matter in court as an expert witness. Other common tasks include determining what has happened to a document, determining when a document was produced, etc. Document examination is employed in law enforcement investigations and prosecutions and in civil litigation.

The one common thing between graphology and document examination is that both involve handwriting. Training in document examination does not include graphology principles, and graphology has no relevance to the practice of document examination.

The Graphology/Forensic Document Examination association can be thought of as similar or analogous to that of the Astrology/Astronomy or Alchemy/Chemistry relationships.

2. Согласитесь или опровергните утверждения. Начните свое высказывание с одной из речевых моделей.

I quite agree here. – Я совершенно согласен с этим.

I'm of the same opinion. – Я того же мнения.

Most likely. – Вполне возможно.

I suppose so. – Полагаю, что это так.

I object to it. – Я возражаю.

It makes no sense. – Это бессмыслица.

Just the reverse. – Как раз наоборот.

Stuff and nonsense! – Полная чепуха!

1. A forensic document examiner is often confused with a graphologist, and vice versa.
2. Graphologists can interpret the character or personality of the writer by his handwriting.
3. Graphology dates back many centuries.
4. Jean Hippolyte Michon believed the brain, and not the hand, controlled handwriting.
5. Those who specialize in handwriting analysis believe your penmanship harbours more than the power of self-expression.
6. Handwriting analysis or study can foretell the future and reveal the past.
7. It can only help you to gain an understanding and insight into the personality of other people.
8. Graphology is a branch of the forensic sciences.
9. A document examiner is often asked to determine if a questioned item originated from the same source as the known item(s).
10. Document examination is employed in law enforcement investigations and prosecutions and in civil litigation.

3. Дополните предложения в соответствии с содержанием текста.

1. Graphology is the study and analysis of handwriting especially in relation to
 - a) the history of the document
 - b) human psychology
 - c) the subconscious mind
2. The activity dates back many centuries, having originally been taken....
 - a) from Southern India to China and from there to Greece
 - b) from China to India and from there to Rome
 - c) from Southern India to Persia and from there to Greece
3. Emperor Augustus did not separate his words which led Suetonius to conclude that the Emperor
 - a) focused attention on one activity ignoring all other influences
 - b) didn't possess strong libido and passions
 - c) did not pay attention to detail in forming a picture of the whole situation

4. French monk named Jean Hippolyte Michon coined the phrase "Graphology" in....

- a) 1880
- b) 1870
- c) 1890

5. Jean Hippolyte Michone broke handwriting down into a series of strokes,

- a) assigning a personality characteristics to each stroke
- b) assigning a personality trait to each stroke
- c) assigning a personality power to each stroke

6. Handwriting reveals hundreds of elements of the person's personality such as

- a) spacing, pressure, and line quality
- b) imagination, integrity, and fear
- c) alcoholism, loneliness and success

7. A document examiner is often asked

- a) to present the opinion on the matter in court
- b) to foretell the future
- c) to reveal the past.

4. Работа в парах. Обсудите с партнером, чем занимаются судебные эксперты и графологи. Согласитесь или не согласитесь с партнером, используя предложенную модель и словосочетания из текста, приведенные ниже. После обсуждения запишите в таблицу, что общего между ними, а что их отличает друг от друга.

Model: If I were a graphologist, I **would pay** attention to the slant of the letters and words.

If I **were** a forensic document examiner, I **would pay** attention to the slant too.

to interpret the character of the writer, to determine the authorship of the document, to study handwriting, to determine the genuineness of the document, to analyze handwriting, to compare handwriting, to break handwriting down into a series of strokes, to foretell the future of the writer, to describe writer's character, to determine what has happened to a document, to reveal the past of the writer, to determine when a document was produced.

	COMMON THINGS	DIFFERENT THINGS
FORENSIC DOCUMENT EXAMINERS		
GRAPHOLOGISTS		

5. Прочитайте текст и заполните пропуски словами из рамки. Сформулируйте письменно основную идею текста.

a) signatures b) seal c) fingerprints d) psychologist e) handwriting analysis
f) character traits g) a printout h) to decipher i) a meaningful description

Handwriting as a personal trademark

Handwriting is a very personal and individual trademark of personality. As no two people have exactly the same handwriting, _____1_____ have for hundreds of years been regarded as legally binding on documents of all types. A person's handwriting is his own private trademark or _____2_____ which cannot be reproduced by any other individual.

This was firmly believed by no less a personality than Sir William Herschel who founded the system of identification through _____3_____. He accepted that handwriting revealed character in the same way that fingerprints reveal identity.

Alfred Binet, the renowned _____4_____ who founded the modern method of I.Q. Testing for intelligence was a firm supporter of _____5_____ and confirmed that certain handwriting traits revealed actual _____6_____.

The French psychologist, Pierre Janet (1859-1947) referred to handwriting analysis as a "science of the future" and described handwriting itself as; "an act which leaves _____7_____. It is the film record of the writer's sensibilities."

The "printout" left by handwriting is a description of the individual's character in psychological code. The graphologist, by using scientifically validated graphological techniques in combination with psychological theory is able _____8_____ that code and to translate it into _____9_____ of the writer's character.

6. Психологический практикум. На неразлинованном листе бумаги напишите предложенный ниже отрывок текста в несколько строчек. Ответьте на вопросы теста и определите, какими, по мнению графолога, чертами характера Вы обладаете. Выступите перед группой со своим анализом, что совпало, а что нет, по Вашему мнению, с результатами графологической экспертизы. (Инструкция, как оценить Ваши ответы приводится ниже).

DISCOVER WHAT YOUR HANDWRITING SAYS ABOUT YOU.

- On blank (unlined) paper please write the paragraph below as you normally would.
- Use at least two lines.
- Keep the paper in front of you so that you can answer the questions

'Well!' thought Alice to herself, 'after such a fall as this, I shall think nothing of tumbling down stairs! How brave they'll all think me at home! Why, I wouldn't say anything about it, even if I fell off the top of the house!' (Which was very likely true.)



“Alice's adventures in wonderland” Lewis Carroll

1. How would you say your letters slope?

- Backward
- Straight up and down
- Forward

2. Are the letters in your words

- Fully connected, with clear breaks between the words?
- Partially connected, depending on the letters?
- Unconnected, like printing?

3. Between words, do you leave

- Wide spaces?
- Narrow spaces?
- No spaces - words are connected, pen doesn't leave paper?

4. How close together are your lines of writing?

- Very far apart
- Apart far enough that the letters do not touch
- Close enough that the descenders of the top and the ascenders of the bottom overwrite each other.
- **Note: Ascenders are letters like h and t. Descenders are letters like y and g.**

5. What color ink did you choose?

(If you used another color, which of these three would you prefer?)

- Blue-black
- Red
- Light Blue

6. How large was your capital I in the sample?

- Larger than the other capital letters
- Smaller than the other capital letters

7. What do your t bars look like? (The crossbars on your letter t)

- They tend to be to the left of the stem of the t
- They cross the t more or less in the middle
- They tend to be to the right of the stem of the t

8. Does your writing slope

- Upward on the page?
- Downward on the page?

9. Which takes the most space vertically in a line of your writing?

- The ascenders (letters like t and h)
- The middle zone (letters like a, e, n)
- The descenders (letters like y and g)

10. How much pressure does your writing show?

- Fine and spidery?
- Firm and even?
- Heavy?

Check your answers with the analysis below.

1. Your letters slope,

Backward - indicates that you are shy, hesitant and afraid to show your feelings.

Straight up and down - indicates that you are a person with a strong need for contact.

Forward - indicates that you are reticent and self-controlled.

2. The letters in your words are,

Fully connected - indicates that you are a social person who likes to talk and meet others.

Partially connected - indicates that you are a shy, idealistic person who does not find it easy to have relationships.

Unconnected - indicates that you are a person who thinks before acting, intelligent and thorough.

3. The spaces between your words are,

Wide - indicates that you are reserved, shy, cautious, and thoughtful.

Narrow - indicates that you are a talkative person, maybe even a busybody!

No spaces - indicates that you are impatient and self-confident.

4. How close together are your lines of writing?

Very far apart - indicates that you are isolated, detached and reserved.

Apart far enough that letters do not touch - indicates that you enjoy social interactions and are talkative.

Close enough so that the descendants touch the ascendants - indicates that you like to be organized.

5. What color ink did you choose?

Blue black - indicates that you are rational and conservative. You adhere to conventions and traditions.

Red - indicates that you are spiritual rather than material, and may have a deep understanding of other people's problems.

Light blue - indicates that you are strong, vital, energetic and affectionate. You also have an original approach.

6. How large was your capital I in the sample?

Larger than the other capital letters - indicates that you are a person with a high opinion of yourself, or who wants others to think that you do.

Smaller than other capitals - indicates that you are well adjusted and harmonious, a person content with your current role.

7. What do your t bars look like?

Crossbars tend to be to the left of the stem of the 't' - indicates that you are cautious, possibly uncertain about things.

Cross the 't' more or less in the middle - indicates that you are not very original but quite responsible.

Crossbars tend to be to the right of the stem of the 't' - indicates that you are reliable and conscientious with leadership qualities.

8. Your writing slopes,

Upward - indicates that you are energetic, optimistic, and assertive.

Downward - indicates that you are steadfast, purposeful, and possibly aloof.

9. Which takes the most space vertically in a line of your writing?

The ascenders - indicates that you are idealistic, ambitious, and intuitive.

The middle zone letters - indicates that you are a materialist, and prone to exaggeration.

The descenders - indicates that you have a tendency to be bossy.

10. How much pressure does your writing show?

Fine and spidery - indicates that you are a person of sensitivity, refinement, modesty, and spirituality. You may also be overly critical and austere.

Firm and even - indicates that you are a person of strong but rigid will, obstinate but powerful.

Heavy - indicates that you are a person of energy and elasticity, able to roll with the punches and adapt to whatever life brings.

7. Переведите предложения на английский язык.

1. Графология — область знания о почерке и методах его исследования с точки зрения отражающихся в нем психических состояний и особенностей личности пишущего.
2. Принято считать, что первые наблюдения принадлежат мудрецам южной Индии и Китая, откуда они пришли в Древнюю Грецию приблизительно 4000 лет тому назад.

3. Появление первых научных разработок, связанных с возможностью изучать личностные качества человека по почерку принадлежат французскому аббату Жану Ипполиту Мишону (1806-1881).
4. Графологией заинтересовались в Германии, затем в Англии и США, многие известные писатели, поэты и политики посвятили немало времени, изучая проблему связи между почерком и характером человека, среди них писатели В.Шекспир, Э.По, О. де Бальзак, В.Скотт, Жорж Санд, А.Дюма.
5. Результаты современных исследований подтверждают имеющуюся взаимосвязь почерка с некоторыми психическими особенностями человека.
6. Например, «острые углы», как правило, ассоциируются с такими качествами человека, как упорство, резкость, неуступчивость, что, зачастую, находит свое отражение в написании букв.
7. Одно и то же можно написать большими или маленькими буквами и при этом с большим или меньшим нажимом.
8. Графологическая экспертиза широко используется в современной практике отбора кадров, например, в кадровых агентствах США.
9. Основные признаки почерка, анализируемые графологом: размер букв: (очень маленькие, маленькие, средние, крупные); наклон букв: (левый наклон, легкий наклон влево, правый наклон, резкий наклон вправо); направление почерка: (строчки ползут вверх, строчки прямые, строчки ползут вниз).
10. В США широко распространены специальные графологические бюро, специализирующиеся на анализе профессиональных и личностных качеств претендентов на различные управленческие должности по их почерку.

8. Подготовьте презентацию своего заключения по графологической экспертизе записки, написанной президентом США, Бараком Обамой. Для этого внимательно изучите записку с пометками, сделанными профессиональным графологом, и справочные материалы и инструкции, приведенные ниже, с помощью которых Вы сможете дополнить психологический портрет президента. Составьте свое экспертное заключение и представьте его группе.

Handwriting analysis of US President Obama reveals at least nine characteristics common place among previous world renowned leaders of commerce, politics, and the arts.

- * Large capital letters in signature show a healthy ego, confidence;
- * An open loop on the letter **h** indicates a mind open to different philosophies;
- * The short stem on the **d**'s reveals an independent thinker;
- * A figure-8 shaped **g** designates one with fluid thinking; and
- * A clean letter **o** points out his openness and bluntness.

I just finished a day of campaigning here in Iowa, and things are going great. I asked David, my campaign manager, to give you an update on where we stand in Iowa. I think it reflects exactly what I'm sensing on the ground - that people are hungry for change. So thanks for all you've done. You've been with me from the start, and I wouldn't be here without you.

Fluid mind & determination
 open h loop = open mind to different philosophies
 caution: resists impulsive emotional reactions
 short d-stem = independent thinking.
 figure 8 g = orator & fluid mind
 pointy n humps = fast mind, analytical thinker. wit.
 Medium t-bar average esteem, has something to prove
 clean letter o = honest and blunt

Aggressiveness
 Persistence
 Large capitals in Signature = Healthy Ego. Confidence

A person's handwriting is as unique as their personality, and there's good reason to look for traces of their personality in their handwriting. Have you ever wanted to analyze handwriting? Here's how to start your lucrative career in graphology

Look at the pressure of the strokes. A high pressure means the person has a high Emotional Energy. People with a high Emotional Energy have a lot of enthusiasm for life and are often very successful. People with a low Emotional Energy find most situations draining and will try to avoid them.

Look at the size of the letters. Large letters mean the person is outgoing and extraverted; small letters mean the person is reclusive and introverted. There are many aspects to the size of writing and alone it doesn't indicate many things. Size (and especially the relative size of letter parts) needs to be considered along with other factors. There are some simple indicators however. Small writing is generally a strong indicator of a detailed, technical personality. Large rounded and dominant central case letters indicate a friendly and sociable personality.

Look at the slope of the strokes. Is there a consistent slope to the letters and therefore the words in the sample? Check by drawing lines through the up and downward strokes. Backwards slopes indicate an introverted personality; forward slopes are extraverted. Upright strokes indicate a personality who is motivated by factors other than people, (i.e. neither extrovert nor introvert). The

degree of slope reflects the degree of extraversion or introversion. The degree of consistency of the slope (i.e. parallel strokes) indicates the degree of emotional consistency.





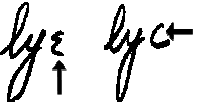

Look at the line slope. Writing which rises to the right shows optimism and cheerfulness. Sagging to the right shows physical or mental weariness. (This applies to signatures sloping-downwards also.)




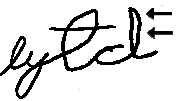
Look at the flow. One of the essential indicators, but like any other factor not to be used on its own. Generally, restraint is indicated every time the pen leaves the paper, and the converse applies. Gushing, eager, impulsive people have a more continuous flow of writing. Flowing writing has linked letters and sometimes linked words. Thoughtful, considered people will have fewer linked letters and no linked words. Artistic and conceptual people who like space and time around them will often have completely separated letters. (It follows that pressure at school on some children to 'write joined-up' - because the common view is that to do otherwise is 'not grownup' - is unnatural and often counter-productive. In any event continuity of flow does not correlate to intelligence.)

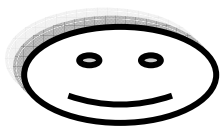
Look at the spacing. Space between words indicates social attitude to others. Close words are a sign of sociability. Large spaces between words indicate the person is comfortable alone, and may even distrust others. Spacing between letters shows artistic spatially aware character, (artists, etc.)

Look at the decoration and distortion. Don't confuse the two. Decoration is intended; distorted is malformed and unintentional. Both are different to unfinished letters, which is a different indicator. Decoration is generally a sign that the writer wishes to be noticed more than he or she is at present. Malformed letters indicate a variety of things which must be dealt with individually. Unfinished words can be a sign of intelligence and impatience.

Look at some more characteristics of handwriting.

<p>ANALYTICAL THINKING v-wedges for m, n- bottom baseline inter- sections</p>	<p>sorts and separates information in as- sessing their value, evaluates informa- tion and supporting patterns</p>	
<p>BLUNT increasingly heavy downward and for- ward middle final</p>	<p>brings matters to a conclusion and thrusts it upon others</p>	
<p>BROADMINDED wide e-loop</p>	<p>liberal self-viewpoints, free of bigotry</p>	
<p>CONCENTRATION small writing</p>	<p>focuses attention on one activity ig- noring all other influences</p>	
<p>CULTURAL REFINEMENT middle letter printed as capital</p>	<p>integration and discrimination of crea- tive artistic and structural systems into one's mode of living</p>	
<p>EMOTIONAL INTENSITY, MUCH AVAILABLE heavy average stroke</p>	<p>possesses strong libido and passions, abundance of available energy and vitality, proactive</p>	

pressure		
FORGETFUL missing t-bars	inability to recall information or planned action, absentmindedness	
HUMOUR initial wavy upper area down stroke to baseline	the contrast between reality and assumed values provokes amusement	
REBELLIOUS inflated triangular forward inverted upper circle	open hostility towards authority and for any form of discipline, belligerent	
VANITY tall t, d-stem height	excessively high regard of ones conduct demonstrated through a sense of superiority	



10. Прочитайте и улыбнитесь! Сталкивались ли Вы в жизни с подобными ситуациями из-за своего или чьего-либо другого неразборчивого почерка?

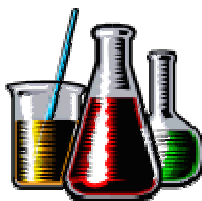
A doctor, found it easier to communicate with one of his elderly, hard-of-hearing patients by writing her notes. One day she came to the office for some test results. "Now, doctor," she said sternly, "If you have anything to tell me, please have your secretary type it. Frankly, your handwriting is worse than my hearing."

U.S. journalist and politician Horace Greeley was renowned for his illegible handwriting. He once wrote a note to a member of his staff on the New York Tribune, dismissing him for gross negligence of duty.

Meeting Greeley several years later, the journalist told his former chief how useful his note of dismissal had proved. "I took it with me," he said. "Nobody could read it, so I declared it a letter of recommendation, gave it my own interpretation, and obtained several first-class situations by it. I am really very much obliged to you."

9. Выступите в роли переводчика.

Что значат термины «судебная экспертиза» и «экспертиза документов»?



Forensic science is the application of various sciences to the law. The application of allied sciences and analytical techniques to questions concerning documents is termed forensic document examination. The examination of questioned documents consists of the analysis and comparison of questioned handwriting, hand printing, typewriting, commercial printing, photocopies, papers, inks, and other documentary evidence with known material in order to establish the authenticity of the contested material as well as the detection of alterations.

Каким образом специалист, проводящий экспертизу документов, может помочь судам и правоохранительным органам?



Forensic document examiners (FDEs) help lawyers by examining and offering written opinions on a variety of disputed document problems including: wills, deeds, medical records, income tax records, time sheets, contracts, loan agreements, election petitions, checks, and anonymous letters.

Lawyers benefit from FDEs' specialized knowledge of literature in the questioned document field. This knowledge will assist lawyers in preparing meaningful direct examination questions for their own experts and cross-examination questions for opposing experts.

Какое образование должен иметь специалист, проводящий экспертизу документов?



There is no college degree or major in forensic document examination. The majority of FDEs have undergraduate or master's degrees, however. Most of the recognized regional and national forensic science organizations require a baccalaureate degree as a condition of membership.

А получают ли эти специалисты какую-то специальную профильную подготовку?



Like most forensic disciplines, on-the-job specialized training from experienced examiners is the only way to acquire expertise. No substitute exists for a legitimate structured training program. Forensic document examination does not lend itself to autodidactic learning or to correspondence courses.

Графология и экспертиза документов – это одно и то же?



Graphology or graphoanalysis attempts to predict character traits from handwriting examination. Forensic document examination involves the analysis and comparison of questioned documents with known material in order to identify, whenever possible, the author or origin of the questioned document. Some graphologists call themselves handwriting analysts or document examiners and are therefore confused with FDEs. In U.S. the court rejected the testimony of a proffered handwriting examiner, in part, because his training was completed through a correspondence school and strongly emphasized graphoanalysis. But it also pointed out that the witness was not certified by the ABFDE.

UNIT 5. TEST YOURSELF

1. Прочитайте текст.

TEXT

PROCESS OF COMPARISON

A document examiner compares questioned handwriting or signatures side-by-side to the known standards. Handwriting attributes are examined both visually and microscopically. Everyone who looks at writing and signatures notices the most conspicuous features first, such as the slant of the writing and how the letters are formed. An examiner will look beyond the obvious features and study the subtle, inconspicuous aspects of the questioned signature or writing. By applying basic rules in document analysis, combined with experience observing thousands of letter formations and words, an expert examiner is able to determine if writing is genuine or is not.

A good analogy to handwriting identification taught to beginners is that you have been given a general description of a person. He is male, 30 years old, with dark hair and eyes, 170 pounds, 6 feet tall, with a scar on his forehead. He walks with a permanent limp and has a tattoo of a rose on his left arm. You must find this individual among a group of passengers who are coming off a plane at the airport. The first five characteristics are common; many men fit that general description. With the addition of the next three uncommon characteristics, the field narrows significantly. With all the traits combined, when you see this individual and your brain has processed the description, you will recognize him in the crowd. If the individual differed in weight by a few pounds or in age by a few years, that would not be significant. The general description could be off slightly without changing the identification. However, if one of the last three traits were missing, that would be significant and you may not have the right individual.

The analogy applies to handwriting. Some writing features are common, and some handwriting characteristics are considered uncommon or even rare. The common features are referred to as class characteristics. These are writing attributes observed in a group of writers that are probably derived from a penmanship system they learned. The uncommon handwritten characteristics, known as individual characteristics, are considered distinctive, personal, or peculiar to the handwriting of one person. An experienced document examiner is able to recognize class characteristics and avoid identifying an individual's writing solely on the basis of these common handwriting features. If the writing is naturally executed, and a combination of similarities between the questioned material and known standards is significant and individual, the examiner renders an opinion that the questioned and known material were written by the same individual. If the questioned writing or signature contains a combination of significant dissimilarities or indications of forgery the examiner may proffer an opinion, of not genuine. In doing a comparison, an examiner studies characteristics, such as how letters are constructed, how they are connected, the beginning and ending strokes of letters, the relative height ratio of letters, the spacing between letters and words, the skill level, speed, size, and shading.

2. Определите, какие утверждения соответствуют содержанию текста. (True or False)

1. Everyone who looks at writing and signatures notices the mistakes in spelling of the words and grammar.
2. An examiner will study all aspects of the questioned signature or writing.
3. An analogy to handwriting identification is that you have been given a general description of a person.

4. A scar on his forehead, a permanent limp and a tattoo of a rose on his left arm are considered to be common characteristics and many men fit that general description.
5. Some writing features are common, and some handwriting characteristics are considered uncommon.
6. The common features of writing are referred to as class characteristics.
7. Every document examiner can easily recognize class characteristics and avoid identifying an individual's writing solely on the basis of these common handwriting features.
8. In doing a comparison, an examiner studies characteristics, such as how letters are constructed and how they are connected.

2. Соотнесите слово и его определение.

1. signature	a. The act of the illegal production of something counterfeit.
2. slant	b. A written symbol or character representing a speech sound and being a component of an alphabet.
3. forgery	c. The writing characteristic of a particular person.
4. stroke	d. One's name as written by oneself.
5. letter	e. A distinguishing feature, as of a person's character.
6. handwriting	f. A line that is other than perpendicular or horizontal.
7. comparison	g. A single mark made by writing or marking implement such as a pen.
8. trait	h. A statement or estimate of similarities and differences.

3. Напишите аннотацию текста.

4. Выберите правильный вариант ответа.

1. includes comparison, identification of handwriting, and analysis of questioned documents.

- a) Graphology
- b) Handwriting examination
- c) Forensic science
- d) Forensic linguistic

2. is the study and analysis of handwriting especially in relation to human psychology.

- a) Graphology
- b) Handwriting examination
- c) Forensic science
- d) Forensic linguistic

3. Handwriting features that examiners evaluate include

- a) the analysis of semantic meaning in words and pragmatic meaning in words
- b) the comparison of speech patterns

c) the size and slope of the writing, pen pressure, the spacing between words and letters, height, beginning and ending strokes, and line quality.

d) the physical evidence of a document

4. Everyone's writing consists of a combination of ...

a) letters and sounds

b) class and individual characteristics

c) dots and commas

d) letters and numbers

5. studies all aspects of a document to determine its authenticity and origin, including handwriting, typewriting, fingerprinting, commercial printing, photocopies, inks and papers.

a) a graphologist

b) a criminalist

c) a forensic document examiner

d) a scientist

6. is a means of identifying forgery and establishing the authenticity of documents in dispute.

a) Crime scene examination

b) Speech examination

c) Handwriting examination

d) Document examination

5. Заполните таблицу полными ответами на поставленные вопросы.

JOB TITLE	GRAPHOLOGISTS	FORENSIC DOCUMENT EXAMINERS
WHAT DO THEY DO?		
WHAT IS THE ROLE OF HANDWRITING?		
ARE THEY CREDIBLE IN TESTIMONY?		
THINGS IN COMMON		

GLOSSARY

1. **authentication** – 1. удостоверение или засвидетельствование подлинности; 2. заверка (подписи)

2. **authenticity** – подлинность, достоверность;

~ of documents – подлинность документов

3. **credibility** – правдоподобность, вероятность

- credible – правдоподобный, вероятный, заслуживающий доверия
credibly – достоверно
4. **credit** – вера, репутация
5. **characteristic** – характерная черта, особенность, свойство
class characteristics – общие характеристики;
directly perceptible ~ - непосредственно воспринимаемые особенности
individual characteristics – индивидуальные характеристики
6. **document** – 1. документировать, документально доказывать, обосновывать, подтверждать; 2. документ, свидетельство
document examination – экспертиза документа
questioned document examination - идентификационная экспертиза
7. **expertise** – профессиональная компетентность; деловой опыт
8. **graphology** – графология
graphoanalysis – графологическая экспертиза
graphologist – графолог
graphological - графологический
9. **genuineness** - подлинность, неподдельность
genuine text of ... - подлинный текст чего-либо
10. **handwriting** – почерк
~ analysis – почерковедческая экспертиза
~ identification – распознавание почерка
~ sample – образец почерка
~ individual characteristics – индивидуальные особенности почерка
11. **item** – 1) пункт, параграф; 2) вопрос; 3) отдельный предмет в списке
12. **profile** – 1) психологический портрет (профиль) преступника 2) краткий биографический очерк; 3) краткий очерк политического, исторического или географического характера
13. **pen** - ручка
pen score – связанность почерка
ballpoint pen - шариковая ручка
fountain pen – авторучка
penmanship – каллиграфия, характер почерка
14. **writer** – исполнитель рукописи (текста), автор, писатель
the ~ - нижеподписавшийся
be a good (bad) ~ - иметь хороший (плохой) почерк
emotional energy of the ~ - эмоциональное состояние исполнителя текста
left-handed ~ - левша
poor ~ человек с маловыработанным почерком
personality of the ~ - личность исполнителя
type-writer – пишущая машинка
15. **writing** – 1) письменность 2) рукопись 3) написание (письмо)
~ ability – выработанность почерка
~ act – процесс написания
~area – зона письма
~ instrument – пишущий предмет
~ system – система письма
cursive ~ - скоропись, рукописный шрифт
line of ~ - письменная строка
rhythm of the ~ ритм написания
skilled ~ высоковыработанный почерк
16. **verification** - проверка, исследование, установление истинности
17. **validation** - утверждение, установление истинно законной силы
valid – действительный, имеющий силу (юр)

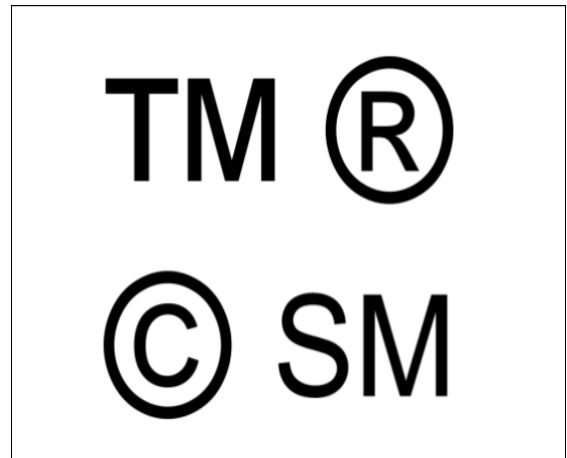
MODULE 12

WHAT IS FORENSIC LINGUISTICS?

UNIT 1. INTRODUCTION TO FORENSIC LINGUISTICS



A.



B.



C.

1. Прочитайте определения науки о языке (лингвистики) и ее областей и скажите, чем судебная лингвистика отличается от прикладной лингвистики.

1. The study of the nature, structure, and variation of language, including phonetics, phonology, morphology, syntax, semantics, sociolinguistics, and pragmatics.

2. An interdisciplinary field of study that identifies, investigates, and offers solutions to language-related real-life problems. Some of the academic fields are education, linguistics, psychology, computer science, anthropology, and sociology.

3. The application of linguistic knowledge, methods and insights to the forensic context of law, language, crime investigation, trial, and judicial procedure.

2. Посмотрите на рисунки и прочитайте только те словосочетания, которые помогут Вам описать их. Переведите их на русский язык.

Voice identification, write the suspect's statement in the words of the suspect, handwriting sample, interpretation of expressed meaning in laws and legal writings, second language acquisition, analysis of discourse in legal settings, the rhythm of the writing, take down notes, interpretation of intended meaning in oral and written statements, connecting strokes, authorship identification, police register, language teaching, trademark law, interpretation and translation, mother tongue teaching, the authenticity of police statements.

3. Расскажите, как предложенные выше рисунки могут, по Вашему мнению, быть связанными с судебной лингвистической (речеведческой) экспертизой. Составьте диалог для рисунка С.

4. Ответьте на вопросы.

1. Is forensic linguistics one of many developing disciplines in applied linguistics?
2. Does it draw on the scientific study of language to solve forensic problems?
3. Do applications of forensic linguistics include voice identification, interpretation of expressed meaning in laws and legal writings, analysis of discourse in legal settings, interpretation of intended meaning in oral and written statements (e.g., confessions)?
4. Are authorship identification and trademark law included in applications of forensic linguistics?
5. Is forensic linguistics helpful for judges, lawyers, jurors and witnesses?

5. Если Вы утвердительно ответили на все вопросы предыдущего задания, напишите полное определение понятия «судебная лингвистическая (речеведческая) экспертиза».

6. Запишите в таблицу основные английские термины, раскрывающие понятие лингвистической (речеведческой) экспертизы, которые были даны в предыдущих упражнениях и выучите их наизусть.

1. лингвистическая экспертиза	
2. фоноскопическая экспертиза	
3. прикладная лингвистика	

4. экспертиза дискурса	
5. толкование смыслового содержания законов	
6. интерпретация, толкование намерений в письменных и устных заявлениях	
7. стиль речи полицейского	
8. идентификационная автороведческая экспертиза	

7. Прочитайте и переведите текст.

TEXT

WHAT IS FORENSIC LINGUISTICS?

When Forensic Linguistics is referred to as an *application of linguistics* or, more concisely, an *applied* linguistic science, the word *applied* is not necessarily being used in the same sense as, for example, in the phrase *applied* statistics, where what is being applied is a theory underpinning a particular science to the practice of that science. Forensic Linguistics is, rather, the application of linguistic knowledge to a particular social setting, namely the legal *forum* (from which the word *forensic* is derived). In its broadest sense Forensic Linguistics is the interface between language, crime and law, where *law* includes law enforcement, judicial matters, legislation, disputes or proceedings in law. Given the centrality of the use of language to life in general and the law in particular, it is perhaps somewhat surprising that Forensic Linguistics is a relative newcomer to the arena, whereas other disciplines, such as fingerprint identification and shoeprint analysis, are much older, having a well-established presence in judicial processes.

Like almost all sciences it is not possible to say that Forensic Linguistics began at a specific moment in time. Questions of authorship have exercised minds since the times of the ancient Greek playwrights who not infrequently accused each other of plagiarism.

For a long period in English law a set of rules had been established regarding the interrogation of witnesses, in particular how statements were to be taken from them. These prescriptions were known simply as Judges' Rules which laid down that suspects were to dictate their narrative to police officers, that police officers were not to interrupt suspects, and that questions were not to be asked of the suspect at the statement stage except for minor clarifications. In practice this almost never happened. Typically, a police officer would ask a series of questions, take down notes and then write or type the suspect's statement, not in the words of the suspect, but in a form and pattern which police custom had long dictated. Thus, police statements contained phrases like 'I then observed', *etc.* This type of phrasing is not at all typical of how people speak, but rather reflects a way of phrasing which has come to be known as 'police register', itself an area of study within Forensic Linguistics. This was why in the early days of Forensic Linguistics, at least in the United Kingdom, many cases involved questioning the authenticity of police statements.

The first example of expert evidence being given from the witness box on this matter was at a murder trial at the Old Bailey in 1989, where Peter French, a forensic linguist, demonstrated the presence of police register in an incriminating statement the prosecution claimed was entirely in the words of one of the defendants.

In the US there were many *Miranda* cases, as they came to be known. On the face of it the provision of *Miranda* is a simple one: police officers are obliged to advise arrestees that they need not speak unless they wish to, that they are entitled to have a lawyer present, and that anything they say can be used against them in court.

Another early application of Forensic Linguistics in the United States related to the status of trademarks as words or phrases in the language. An early case involved a dispute surrounding an aspect of the brand name 'McDonald's', owners of the multi-national fast food chain and Quality

Inns International who announced their intention of opening a chain of economy hotels under the name of 'McSleep'. 'McDonald's' claimed that the attachment of the 'Mc' prefix to many unprotected nouns, such as 'Fries' in 'McFries' 'Nuggets' in 'McNuggets', *etc.*, barred Quality Inns from use of the 'Mc' prefix. In this case the plaintiff was not just claiming implicit ownership of a name, but over a morphological principle, namely the attachment of a particular prefix to any noun. The judgment was for the plaintiff's and Quality International Inns were unable to launch their chain of motels under the 'McSleep' banner.

Surprising as it may seem, the thread which connects many of different forensic activities is authorship. Essentially, in considering the question of whether an individual dictated a statement, or whether a statement was in the words of its alleged speaker, analysts were actually asking the question 'Who was the author of the statement attributed to X?' In a broad sense to be an author is to possess the language you are using. It is the use of language to produce a text over which you as the author have control, and whose course you are free to direct.

In the years since Forensic Linguistics began to establish itself as a discipline its scope has grown considerably. From its beginnings as a means of questioning witness and defendant statements, linguists have been called on to give evidence in many different types of case, including authorship attribution in terrorist cases, product contamination cases and suspicious deaths; the interpretation of meaning in legal and other documents, the analysis of mobile (cell) phone text messages to establish a time of death.

(By John Olsson, Adjunct Professor, Nebraska Wesleyan University, Lincoln, Nebraska)

8. Соотнесите английские слова и словосочетания из текста с их русскими эквивалентами.

1. a particular social setting	a) установление авторства
2. fingerprint identification	b) напечатать заявление подозреваемого
3. questions of authorship	с) диктовать кому-либо чье-то повествование
4. to accuse each other of plagiarism	d) заявление, приписываемое кому-либо
5. to type the suspect's statement	e) достоверность заявлений, сделанных полицейским
6. to reflect a way of phrasing	f) дела, связанные с загрязнением продукции
7. the statement attributed to smb	g) определенная ситуация общения
8. authorship attribution	h) запустить в производство что-либо под знаменем
9. product contamination cases	i) вопросы авторства
10. to launch smth under the banner	j) установление личности по отпечаткам пальцев
11. the authenticity of police statements	к) отражать формулировки
12. to dictate smb's narrative to smb	l) обвинять друг друга в плагиате

9. Согласитесь или опровергните утверждения.

1. In the phrase "applied statistics" the word "applied" means that the theory underpins a particular science to the practice of that science.
2. The application of linguistic knowledge to the legal settings is called forensic linguistics.
3. Linguistics is the interface between language, crime and law.
4. Forensic Linguistics is as old as other disciplines, such as fingerprint identification and shoeprint analysis.
5. Questions of authorship have exercised minds since the times of Ancient Greece.

6. According to Judges' Rules suspects were to dictate their narrative to police officers.
7. Police officers were to interrupt suspects for making different clarifications.
8. Typically, a police officer asks a series of questions, takes down notes and then writes or types the suspect's statement in the words of the suspect.
9. In the USA police officers are obliged to advise arrestees that they need not speak unless they wish to, that they are entitled to have a lawyer present, and that anything they say can be used against them in court.
10. Nowadays we can easily have fast food at 'McDonald's' and stay at a cheap hotel 'McSleep'.
11. Different forensic activities are closely connected with authorship identification.
12. Today forensic linguists deal with authorship attribution in terrorist cases, product contamination cases and suspicious deaths.

10. Переведите предложения. Определите функцию глагола "to be" в предложениях.

1. Forensic Linguistics is referred to as an application of linguistics.
2. The word *applied* is not necessarily being used in the same sense as, for example, in the phrase *applied* statistics, where what is being applied is a theory underpinning a particular science to the practice of that science.
3. Forensic Linguistics is, rather, the application of linguistic knowledge to a particular social setting, namely the legal forum.
4. For a long period in English law a set of rules had been established regarding the interrogation of witnesses, in particular how statements were to be taken from them.
5. These prescriptions were known simply as Judges' Rules.
6. Police officers were not to interrupt suspects, and that questions were not to be asked of the suspect at the statement stage except for minor clarifications.
7. The first example of expert evidence being given from the witness box on this matter was at a murder trial.
8. In the US there were many Miranda cases.
9. Anything they say can be used against them in court.
10. In this case the plaintiff was not just claiming implicit ownership of a name, but over a morphological principle, namely the attachment of a particular prefix to any noun.
11. In a broad sense to be an author is to possess the language you are using.
12. It is the use of language to produce a text over which you as the author have control, and whose course you are free to direct.

11. Дополните предложения, в соответствии с содержанием текста.

1. Forensic Linguistics is _____.
2. In its broadest sense Forensic Linguistics is _____.
3. Judges' Rules are _____.
4. 'Police register' is _____.
5. Miranda caution is _____.
6. The status of trademarks is _____.
7. The thread which connects many of different forensic activities is _____.
8. An author is _____.

12. Прочитайте текст и выпишите в таблицу английские эквиваленты русским понятиям, данным в таблице. Дайте определения выписанных слов или объясните их значения по-английски.

The range of topics within forensic linguistics is diverse but the main research occurs in the following areas: the language of legal texts and the language of legal processes. The study of the language of legal texts encompasses a wide range of text types and forms of analysis. It includes analyzing the linguistics of documents as diverse as Acts of Parliament (or other law-making body), private wills, court judgments and summonses and the statutes of other bodies, such as States and government departments.

Linguists who work with the language of legal process examine language as it is used in cross-examination, evidence presentation, judge's direction, summing up to the jury, police cautions, 'police talk', interview techniques, the questioning process in court and in other areas such as police interviews, amongst other things. Linguists are also called to give expert testimony in a variety of types of cases both in local and international jurisdictions. The vast majority of cases where linguists are involved concern issues of linguistic competence. They provide evidence in trademark and other intellectual property disputes, identification of the author of anonymous texts (such as threat letters, mobile phone texts, emails), a suicide note, a ransom demand, identifying cases of plagiarism, tracing the linguistic history of asylum seekers, reconstructing mobile phone text conversations and a number of other areas.

1. судебная повестка	
2. завещание	
3. перекрестный допрос	
4. техника ведения допроса	
5. письма с угрозами	
6. беженцы - мигранты	
7. представление доказательств в суде	
8. решение суда	
9. предсмертная записка	
10. требование выкупа	

13. Заполните пропуски соответствующими словами из рамки. Переведите предложения на русский язык.

a) application b) cross-examinations c) police interviews d) expert evidence e) international jurisdictions f) trademark disputes g) forensic and judicial processes h) threat letters i) a criminal or civil dispute

1. Forensic linguists have a considerable interest in the language of _____ of witnesses and suspects.
2. Forensic linguists have been called to give expert testimony in a variety of types of cases across UK and _____.
3. There are perhaps three main areas of _____ for linguists working in forensic contexts; understanding language of the written law, understanding language use in _____ and the provision of linguistic evidence.
4. _____ often concern questions of when a trademarked term begins to be used generically.
5. There is an interest in the language of lawyers and witnesses during the interviews and _____.

6. Forensic linguistics deals with the study of any text or item of spoken language which has relevance to _____, or which relates to what goes on in a court of law, or to the language of the law itself.
7. Forensic linguists give _____ in a wide variety of cases, including authorship of _____, the speech of a suspect at a police interview, reconstruction of a mobile phone text conversations, etc.

14. Переведите предложения на английский язык.

1. Судебная лингвистика представляет собой применение лингвистических знаний в правовой сфере.
2. Судебная лингвистика занимается изучением и анализом языка юридических документов и судебных процессов.
3. Судебный лингвист работает с различными видами документов, которые имеют отношение, как к уголовным делам, так и к гражданским спорам, включая договоры, соглашения, заявления, оспариваемые завещания, предсмертные записки, а также письма с требованием выкупа.
4. Помощь судебного лингвиста может потребоваться при анализе языка перекрестных допросов, свидетельских показаний, предписаний судьи и техники ведения допросов.
5. Лингвистическая экспертиза помогает в разрешении споров по вопросам интеллектуальной собственности и торговым знакам.

15. Проектная работа. Переведите текст на русский язык (письменно). Сравните классификацию областей судебной лингвистической экспертизы, принятую в англоязычных странах с российской (воспользуйтесь Интернет-ресурсами и Википедией). Определите сходства и различия в структуре и терминологии. Представьте свою работу в виде презентации.

All areas of linguistics are used in forensic applications: phonetics and phonology (including spelling), morphology, syntax, semantics, discourse analysis, pragmatics, stylistics, and interpretation and translation:

Auditory phonetics makes use of auditory methods of analysis for the discrimination and identification of speakers by victims and witnesses.

Acoustic phonetics analyzes speech using acoustic methods for speaker discrimination and identification by instrumental means.

Semantics focuses on the comprehensibility and interpretation of written and spoken language that is difficult to understand, e.g., consumer product warnings, jury instructions, trademarks, etc.

Discourse analysis is the study of extended utterances, such as narratives and conversations of the type that takes place within the judicial process.

Pragmatics is the analysis of a speaker's intended meaning in contexts of actual language use. Forensic linguists use the theoretical tools provided by discourse analysis and pragmatics to analyze the function of language used in specific contexts, such as dictation, conversations, hearings, questioning, and the language of specific speech acts, e.g., threats, promises, warnings, etc.

Stylistics examines cases of questioned authorship. Forensic applications of methods for determining authorship are related to cases requiring the linguist to determine (1) if all the writings in a questioned set were authored by one person, (2) if a questioned writing was written by one of a number of possible authors, or (3) if a questioned writing was or was not authored by one writer who is proposed as the suspect author based on external nonlinguistic evidence. All levels of language (sounds as represented by spelling, words, meaning, sentence grammar, and language use) are possible markers of writing style.

Language of the law is concerned with assuring that the legal language of statutes and of legal and consumer writings be clear, brief, and simple, i.e., plain language.

Language of the courtroom studies courtroom discourse, including analyses of the language of witnesses, lawyers, and judges.

Interpretation of one spoken language into another is the object of studies on interpretation tasks specific to legal venues, e.g., questions and answers in testimony, pretrial interpretation, the role and task of the interpreter, etc.

Translation work relates to providing reliable translations of written material needed in legal proceedings.

UNIT 2. AUTHORSHIP IDENTIFICATION

1. Прочитайте и переведите текст.

TEXT 2

AUTHORSHIP IDENTIFICATION

The language used in the questioned text or speech record is of great importance because each and every individual possesses certain characteristic features which will help to identify the geographical origin, age, occupation, sex, education, and religious background by the study of the language used in it. In recent years many researchers explored the area of authorship identification in electronic messages and proposed different classification techniques with multidisciplinary approach to identify the author of the unknown text with greater accuracy. Practical applications for authorship attribution have grown in areas such as intelligence (linking intercepted messages to each other and to known terrorists), criminal law (identifying writers of ransom notes and harassing letters), civil law (copyright and estate disputes), and computer security (tracking authors of computer virus source code). This activity is the part of a broader growth within computer science of identification technologies, including biometrics (retinal scanning, speaker recognition, etc.), cryptographic signatures, intrusion detection systems, and others. The main problem of author identification is the factor of anonymity, the individual tries to refrain the basic identity information i.e. gender, age, occupation etc.

Forensic authorship identification is accomplished through the analysis of style in written language, i.e. linguistic stylistics. Stylistics exploits the two principles of inherent variability in language: no two writers of a language write in exactly the same way, and no individual writer writes the same way all the time. Forensic stylistics is the examination of style in language for the purpose of resolving litigated questions relating to disputed authorship or meaning. Forensic stylistics has been presented as evidence in a wide range of legal cases, mostly concerning the identity of the author of a document. Forensic stylistic analysis makes use of stylistic analysis and reaches a conclusion and opinion related to the authorship of a questioned writing within the context of litigation. Stylistics is the scientific study of patterns of variation in written language. The object of study is the language of a single individual (idiolect), resulting in a description of his or her identifying linguistic characteristics.

Individuality in writing style results from a given writer's own unique set of habitual linguistic choices. Identification and analysis of a writer's choices, i.e., of his or her style-markers, constitute stylistic analysis, which is well established as a method of author identification in literary and forensic contexts.

Application of linguistics tools also extends the principles of psycholinguistics techniques to sketch the offender profile which can be used to identify anonymous letters writers and any person who makes written or spoken threats of violence. The field of psycholinguistics is concerned with the relationship between linguistics and the psychological processes. Linguistic features also help in

linking the individual motive (*mens rea*- “guilty mind”) by analyzing character styles and personality traits to understand or to predict criminal behavior. Analysis of the spoken or written words of the offender can greatly assist forensic scientists in identifying a perpetrator, as it can offer insight into the offender's age, race, gender, level of education, religious or spiritual beliefs, geographic and socioeconomic background, culture, and ethnicity.

2. Найдите в тексте английские эквиваленты русским словам и словосочетаниям.

Спорное авторство; классификационные методы; междисциплинарный подход; биометрия (технология идентификации личности); стилистический маркер (указатель); расследование, (научное) исследование; портрет преступника, уголовное право; вариативность языковых средств; гражданское право; лингвистическая стилистика; распознавание; установление авторства; спорный (конфликтный) текст; письма, угрожающего характера; сканирование сетчатки глаза; привычные языковые предпочтения; психолингвистика; способность проникать в суть вещей (интуитивное понимание).

3. Соотнесите английские слова и словосочетания из текста с их русскими эквивалентами.

1. authorship attribution	a) компьютерная безопасность, компьютерная защита
2. intelligence	b) системы обнаружения вторжений
3. computer security	c) стилистический анализ
4. cryptographic signature	d) лингвистические характеристики
5. intrusion detection system	e) разведка, разведывательная служба
6. stylistic analysis	f) идиолект
7. idiolect	g) атрибуция, установление авторства
8. linguistic characteristics	h) установление подлинности цифровой подписи

4. Соотнесите слово и его определение.

1) computer security	a) a computational method for verifying identity
2) stylistic analysis	b) pertaining to or of the nature of books and writings, especially those classed as literature
3) biometrics	c) the particular variety of a language used by an individual speaker or writer, which may be marked by peculiarities of vocabulary, grammar, and pronunciation
4) literary	d) the science of inferring characteristics of the author from the characteristics of documents written by that author
5) style-marker	e) the scientific analysis of individual style-markers as observed and described in the idiolect of a single writer, as well as class style-markers as identified in the language or dialect of groups of writers
6) cryptographic signature	f) the measurement of physical characteristics, such as fingerprints, DNA, or retinal patterns, for use in verifying the identity of individuals
7) linguistic stylistics	g) a device (or application) that monitors network and/or system activities for malicious activities or policy violations
8) intrusion detection system	
9) idiolect	

10) authorship attribution	h) a feature or a feature set that distinguishes the writing style of a particular author or class of authors i) a branch of computer technology known as information security as applied to computers and networks j) an approach to authorship identification which is based on the principle that it is possible to identify, describe and measure a writer's individual style or idiolect
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5. Заполните пропуски словами из рамки. Переведите предложения на русский язык.

a) authorship identification b) linguistic characteristics c) idiolect d) investigations
e) style-markers f) linguistic variation g) authorship attribution

1. The linguist approaches the problem of questioned authorship from the theoretical position that every native speaker has their own distinct and individual version of the language they speak and write their own _____.
2. A good understanding of _____ is very important to the theory and practice of stylistics and authorship identification.
3. In adjudication of authorship, forensic linguists compare specific _____ with a known group of writings from the suspect.
4. An important role in criminal _____ is played by forensic linguistics/stylistics.
5. Linguists study the _____ of documents given some prior stylistic characteristics of the author's writing extracted from a corpus of known works, e.g., authentication of disputed documents or literary works.
6. In individual style, all _____ come together to form a stylistic profile.
7. Forensic linguistics subjects written or spoken materials (or both) to scientific analysis for _____, or determination of speaker.

6. Закончите предложения в соответствии с содержанием текста.

1. In recent years, practical applications for authorship attribution _____.
2. This activity is part of a broader growth within _____.
3. Forensic authorship identification is _____.
4. Stylistics exploits the two principles of _____.
5. Forensic stylistic analysis makes use of stylistic analysis (stylistics) to _____.
6. The object of study is _____.
7. The field of psycholinguistics is concerned with _____.
8. Analysis of the spoken or written words of the offender can greatly assist forensic scientists in _____.

7. Переведите предложения, обращая внимание на функцию и перевод ing- форм.

1. Individuals have distinctive ways of **speaking and writing**, and there exists a long history of linguistic and stylistic investigation into authorship attribution.
2. Practical applications for authorship attribution have grown in areas such as intelligence (**linking** intercepted messages to each other and to known terrorists), criminal law (**identifying** writers of ransom notes and harassing letters) etc.

3. This activity is part of a broader growth within computer science of identification technologies, **including** biometrics (retinal scanning, speaker recognition, etc.), cryptographic signatures, intrusion detection systems, and others.
4. The object of study is the language of a single individual (idiolect), **resulting** in a description of his or her identifying linguistic characteristics.
5. He was accused of **forging** the document.
6. From its **beginning** as a means of **questioning** witness and defendant statements, linguists have been called on to give evidence in many different types of case, **including** authorship attribution in terrorist cases, product contamination cases and suspicious deaths.
7. It is **tempting** to add one more point to the above: the need to develop a theory of authorship as a socio-cognitive process, the relationship between individual and community or social authorship.

8. Переведите предложения на английский язык.

1. Самая актуальная и сложная проблема судебной лингвистической экспертизы в настоящее время - установление авторства.
2. Системы обнаружения вторжений обеспечивают дополнительный уровень защиты компьютерных систем.
3. Одним из отличительных свойств рекламы является высокая вариативность языковых средств.
4. Главная задача стилистики - изучение и описание лингвистических характеристик, стилистических признаков и стилистических свойств отдельного текста с целью определения авторства.
5. Совокупность особенностей, характеризующих речь отдельного индивидуума, называется идиолект.
6. Стилистический анализ является основой лингвистической экспертизы конфликтного текста.
7. К судебно-автороведческим классификационным задачам мы можем отнести установление определенных общих характеристик в отношении личности создателя текста - его возраст, профессию, родной язык, место формирования языковых навыков, половую принадлежность.
8. Одним из видов экспертных задач может явиться установление эмоционального состояния автора в момент создания текста.

9. Выступите в качестве переводчика.



The interview with Tim Grant, Deputy Director at the Centre for Forensic Linguistics at Aston University.

Correspondent: Г-н Грант, чем лингвистика отличается от судебной лингвистики?

Mr. Grant: Academic linguistics is the study and description of language patterns, traditional grammatical descriptions and how we use language across a variety of contexts. Forensic linguistics is the description of language used in forensic contexts. Forensic situations include police interviews, courtrooms or writings that become part of an investigation. We don't only work on investigations; we're also interested in wills and contracts, the language police use asking questions in interviews and the language of lawyers and judges in courtrooms.

Correspondent: Каким образом судебная лингвистика помогает правоохрательным органам?

Mr. Grant: It depends on the case. Sometimes we're asked to look at writings in cases where police already have a suspect. In these cases we can compare the known writings of the suspect with the incriminating documents. The task then is to try to say whether the suspect wrote them.

Recent cases have included analyses of terrorist conspiracy documents, of a fraudulent suicide note and of a set of threatening emails. I've developed a particular interest in text messages and Internet chat and have been involved in a number of cases in this area. Our evidence in these cases can be admitted to court.

In cases where police don't yet have a suspect, we can look at the language and try to work out the sort of a person the writer might be. We may be able to say whether there's more than one writer, whether they're a man or a woman and their likely background. This work is based more on likelihood than certainty but can be helpful in scaling down the search.

In other cases police know who wrote the text but might want to know what the person meant. For example, if I write in a text that I'm going to "juk" or "bore" you this can be street slang meaning to stab and could constitute a threat.

Correspondent: Что помогает Вам в создании портрета человека, совершившего преступление?

Mr. Grant: We won't try to provide a psychological profile of a writer or describe a writer's intent. I won't, for example, be able to determine whether a person is lying or how likely they are to carry out a threat. We do sometimes work together with forensic psychologists who may come to judgments about these issues.

We can describe a sociolinguistic profile, however. Language varies by social group. One example would be the substantial academic literature on language differences between men and women. We use this literature but turn it on its head. Rather than taking a range of writings by men and a range by women and describing the differences between them, we take a single text and ask, from our knowledge of the generalities, which group it belongs to.

Also different social groups sometimes use different dialects. In one case the phrase "bad-minded men" was used. This was an unusual phrase to me but is fairly common in the Jamaican-Caribbean community, so use of the phrase seems to suggest membership of, or contact with, that group.

Writers fall into habits and patterns not only of language but also of writing behaviours. Sometimes you'll notice the letters or emails in a case are only sent on Sundays, for example, and this may tell you something about the writer or fit with something else the police know.

Correspondent: Используете ли Вы компьютер в своей работе? Чем он Вам помогает?

Mr. Grant: We can also use statistical and computer analyses, which can pick up patterns that may not be obvious to the eye. This is more developed in comparative authorship analyses where we know, for example, that the rate of use of functional words (short words like 'of', 'and', 'the' or 'but') can be used to distinguish between authors. This works well with longer texts and we've been developing alternative techniques for short texts such as SMS text messages and online chat.

We also use word-frequency distributions, which are statistical measures of the richness and diversity of a person's vocabulary. The computational and statistical work in the profiling area is at the leading edge. We've got postgraduate students looking at non-native writers in English and identifying their first language through statistical analyses of their language.

10. Case Study. Внимательно изучите статью научного обозревателя BBC. Заполните бланк, соответствующий информацией из текста.

The case for forensic linguistics

By Elizabeth Mitchell

Science reporter, BBC News, Liverpool

Text message analysis is becoming a powerful tool in solving crime cases.

In February 2008, linguistic evidence contributed to the conviction of David Hodgson in the murder of Jenny Nicholl.

The case highlighted how people choose their own text language "rules" - which they tend to use throughout all their messages.

Forensic linguists showed that text messages sent from Jenny's phone after she went missing had a style that was more similar to that of David Hodgson.

Jenny Nicholls' body was never found, but the jury accepted the prosecution's view that Hodgson had been sending texts on her mobile after her presumed death and found him guilty of murder.

The case is illustrative of what can be achieved by analyzing mobile messages, said Dr Tim Grant from the Centre for Forensic Linguistics at Aston University.

He is speaking here in Liverpool at the British Association Science Festival.

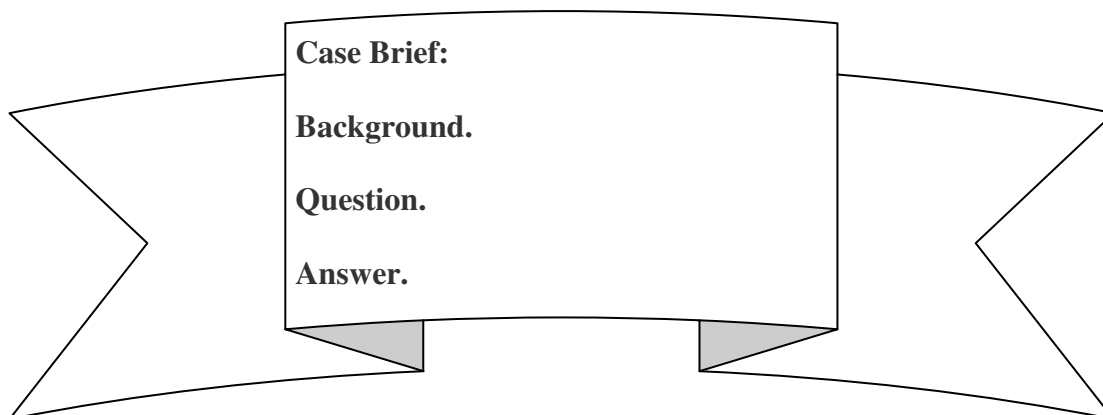
Identifying the author of an anonymous text message might seem like an impossible challenge as they are typically very short and fragmented.

Traditionally, forensic linguists use a descriptive approach.

They demonstrate that there are several stylistic features that are consistently used in messages where they know the author.

For example, Jenny Nicholl used "my" and "myself" while David Hodgson often adopted Yorkshire dialect, using "me" and "meself."

Forensic linguists look to see whose style is most similar to that used in any disputed texts.



Case Brief:

Background.

Question.

Answer.

11. Прочитайте текст. Ответьте на вопросы.

1. What is forensic stylistics?
2. What are the main types of questioned authorship problems?
3. What is the difference between qualitative and quantitative approaches?
4. What is stylometry?
5. How is question writing analysis accomplished?
6. What does this analysis result in?
7. What is author identification based on?

TEXT

STYLISTICS AND QUESTIONED AUTHORSHIP

Forensic stylistics is the application of the science of linguistic stylistics to forensic contexts. The focus of forensic stylistics is author identification of questioned writings.

There are at least three types of questioned authorship problems. First, one may want to determine if one author wrote all the writings in a questioned set, i.e., if a particular writing, which may or may not be already accepted as part of a body (canon) of known writings, is consistent with the rest of the known writings. Second, one may be asked to compare a questioned writing with the writings of a large number of possible authors, if there are no obvious suspect authors. Third, the most common type of forensic problem is to assess the resemblance of a questioned writing to that of one author or a small number of candidate authors, if in fact possible suspect authors can be identified by external (nonlinguistic) means.

Linguistic stylistics uses two approaches to authorship identification: qualitative and quantitative. The work is qualitative when features of writing are identified and then described as being characteristic of an author. The work is quantitative when certain indicators are identified and then measured in some way, e.g., their relative frequency of occurrence in a given set of writings. Certain quantitative methods are referred to as stylometry. Qualitative and quantitative methods complement one another and are often used together to identify, describe, and measure the presence or absence of style-markers in questioned and known writings.

Typical cases of questioned authorship present a questioned writing to be compared or contrasted to the known reference writings of questioned writing one or more candidate authors. Such an analysis is accomplished by examining the writing style of all available questioned and known writings. The writing style is exhibited in underlying linguistic patterns internal to the habitual language used by the author. Results of this analysis may be 1) determination of resemblance of questioned writings to a common canon of known writings, 2) elimination or identification of one or more suspect authors, or 3) inconclusive with respect to data that support neither elimination nor identification.

Author identification is based on two well-documented facts: author-specific linguistic patterns are present in unique combination in the style of every writer, and these underlying patterns are usually established enough to be empirically described and measured by careful linguistic observation and analysis, making author identification possible.

12. Соотнесите английские слова и словосочетания из текста с их русскими эквивалентами.

1. questioned writing	a. противопоставляться чему-либо
2. canon of known writings	b. качественный и количественный подходы
3. to assess the resemblance	c. стилометрия
4. a number of candidate authors	d. оценивать сходство
5. by external (nonlinguistic) means	e. конфликтный (спорный) текст
6. qualitative and quantitative approaches	f. ряд возможных авторов
7. to measure certain indicators	g. недостаточный, не приводящий к определенным результатам
8. stylometry	h. исключение одного или нескольких подозреваемых авторов
9. to be complement one another	i. список подлинных произведений автора
10. to be contrasted to smth	j. посредством внешних (нелингвистических) средств
11. elimination of one or more suspect authors	k. дополнять друг друга
12. inconclusive	l. измерять определенные характерные указатели

13. Напишите дефиниции следующих терминов из текста.

- Stylometry
- Qualitative approach
- Quantitative approach
- Questioned writing
- Questioned authorship

14. Согласитесь или опровергните утверждения. Начните Ваше высказывание с одной из моделей.

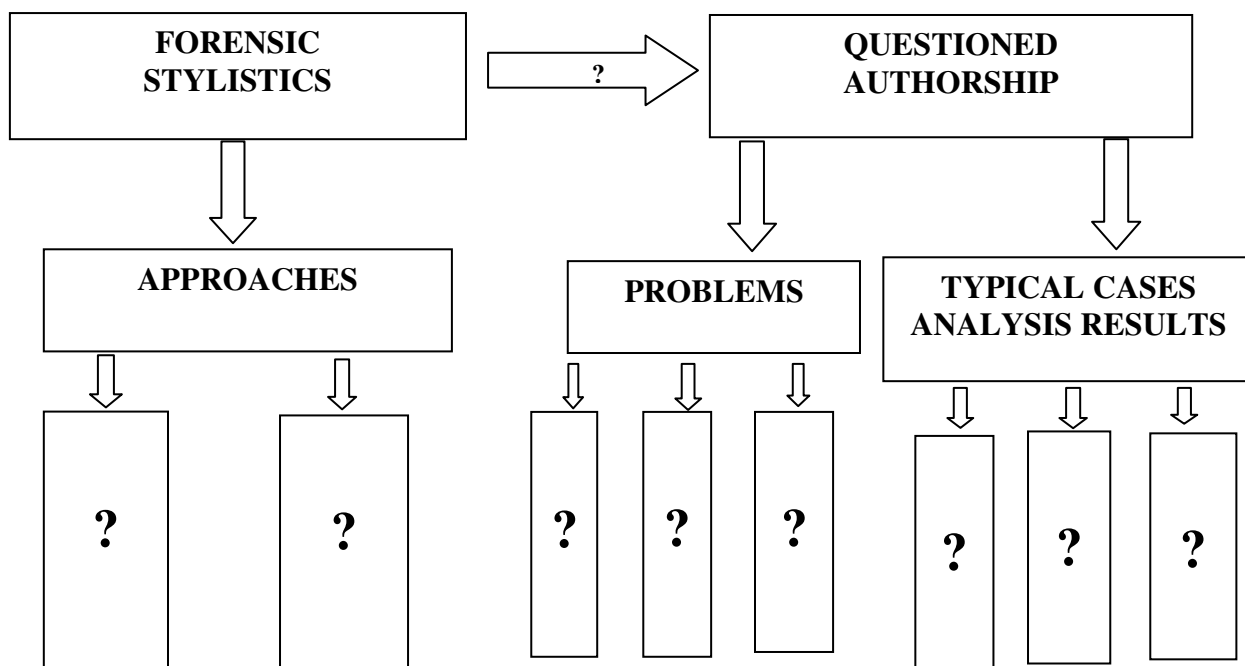
Models: It isn't true to fact – Это не соответствует действительности.

That's right – Совершенно верно.

I disagree with it – Я не согласен с этим.

1. Forensic stylistics is the application of the science of linguistic stylistics to forensic contexts.
2. The focus of forensic stylistics is speaker identification of questioned audio.
3. Linguistic stylistics uses many approaches to authorship identification.
4. Qualitative and quantitative methods are always applied separately.
5. Typical cases of questioned authorship present a questioned writing to be compared to the known reference writings of one or more candidate authors.
6. The writing style is exhibited in underlying linguistic patterns internal to the habitual language used by the author.

15. Заполните схему соответствующей информацией из текста. Опираясь на схему, напишите аннотацию текста на английском языке.



16. Напишите аннотацию текста на русском языке.

17. Выступите в качестве переводчика.

Q: Какова роль интуиции в работе эксперта-лингвиста?

A: Intuition is the analyst's use of his or her own judgment to discover linguistic variation and suggest initial hypotheses to investigate. As a speaker or writer of the language and as a linguist, the analyst uses introspection to start the process of analysis.

Q: Какой метод стилистического анализа более объективный - качественный или количественный?

A: Stylistic analyses are both qualitative and quantitative, but the description of written language is the first and most important means for discovering style variation and identifying the writer of a document. The focus of a qualitative study of writing is a systematic linguistic description of what forms are used by a writer and how and why they may be used.

Q: Каковы способы аргументации при проведении судебно-автороведческой экспертизы?

A: The scientific basis of the argument is that of any empirical study: observation, description, measurement, and conclusion. In the specific case of authorship studies, the argument is as follows:

- Notice these style-markers in the corpus of writing.
- Each of these markers has x probability of occurring in the writing of the speech community.
- Taken as an aggregate set, they have y probability of occurring together in one writer.
- The author-specific markers and their joint probability of occurrence are either the same as or the same as or different from those of comparison corpus of writing.

UNIT 3. PLAGIARISM

1. Ответьте на вопросы.

1. Do you know what plagiarism is?
2. How can you define plagiarism?
3. Do you know the types of plagiarism?
4. Is it easy or difficult in your opinion to detect the cases of plagiarism?
5. Have you ever plagiarized?
6. In what professional spheres do people often face the cases of plagiarism?
7. Do students often plagiarize writing their term-papers?
8. Is plagiarism a crime?
9. Should people be punished for plagiarism?
10. What punishment would you establish for plagiarism if you were a legislator?

2. Прочитайте текст.

TEXT

PLAGIARISM

Plagiarism, as defined in the 1995 Random House Compact Unabridged Dictionary, is the "use or close imitation of the language and thoughts of another author and the representation of them as one's own original work." Within academia, plagiarism by students, professors, or researchers is considered as academic dishonesty or academic fraud and offenders are subject to academic censure, up to and including expulsion. In journalism, plagiarism is considered as a breach of journalistic ethics, and reporters caught plagiarizing typically face disciplinary measures ranging from suspension to termination.

While plagiarism in scholarship and journalism has a centuries-old history, the development of the Internet, where articles appear as electronic text, has made the physical act of copying the work of others much easier, simply by copying and pasting text from one web page to another.

There are several different kinds of plagiarism:

Type I:	Copy & Paste
Type II:	Word Switch
Type III:	Style
Type IV:	Metaphor
Type V	Idea

Plagiarism detection is the process of locating instances of plagiarism within a work or document. The widespread use of computers and the advent of the Internet have made it easier to plagiarize the work of others.

Detection can be either manual or computer-assisted. Manual detection requires substantial effort and excellent memory, and is impractical in cases where too many documents must be compared, or original documents are not available for comparison. Computer-assisted detection allows vast collections of documents to be compared to each other, making successful detection much more likely.

The examples below were originally written by the writing center staff at an esteemed college. The original text from Elaine Tyler May's "Myths and Realities of the American Family" reads as follows:

Because women's wages often continue to reflect the fiction that men earn the family wage, single mothers rarely earn enough to support themselves and their children adequately. And because work is still organized around the assumption that mothers stay home with children, even though few mothers can afford to do so, child-care facilities in the United States remain woefully inadequate.

Here are some possible uses of this text. As you read through each version, try to decide if it is a legitimate use of May's text or a plagiarism.

Version A:

Since women's wages often continue to reflect the mistaken notion that men are the main wage earners in the family, single mothers rarely make enough to support themselves and their children very well. Also, because work is still based on the assumption that mothers stay home with children, facilities for child care remain woefully inadequate in the United States.

Plagiarism: In Version A there is too much direct borrowing of sentence structure and wording. The writer changes some words, drops one phrase, and adds some new language, but the overall text closely resembles May's. Even with a citation, the writer is still plagiarizing because the lack of quotation marks indicates that Version A is a paraphrase, and should thus be in the writer's own language.

Version B:

As Elaine Tyler May points out, "women's wages often continue to reflect the fiction that men earn the family wage" (588). Thus many single mothers cannot support themselves and their children adequately. Furthermore, since work is based on the assumption that mothers stay home with children, facilities for day care in this country are still "woefully inadequate." (589).

Plagiarism: The writer now cites May, so we're closer to telling the truth about the relationship of our text to the source, but this text continues to borrow too much language.

Version C:

By and large, our economy still operates on the mistaken notion that men are the main breadwinners in the family. Thus, women continue to earn lower wages than men. This means, in effect, that many single mothers cannot earn a decent living. Furthermore, adequate day care is not available in the United States because of the mistaken assumption that mothers remain at home with their children.

Plagiarism: Version C shows good paraphrasing of wording and sentence structure, but May's original ideas are not acknowledged. Some of May's points are common knowledge (women earn less than men, many single mothers live in poverty), but May uses this common knowledge to make a specific and original point and her original conception of this idea is not acknowledged.

Version D:

Women today still earn less than men — so much less that many single mothers and their children live near or below the poverty line. Elaine Tyler May argues that this situation stems in part from "the fiction that men earn the family wage" (588). May further suggests that the American workplace still operates on the assumption that mothers with children stay home to care for them (589). This assumption, in my opinion, does not have the force it once did. More and more businesses offer in-house day-care facilities. . . .

No Plagiarism: The writer makes use of the common knowledge in May's work, but acknowledges May's original conclusion and does not try to pass it off as his or her own. The quotation is properly cited, as is a later paraphrase of another of May's ideas.

3. Согласитесь или опровергните утверждения. Начните свой ответ с одной из речевых моделей.

Models:

In my opinion - По моему мнению

To my mind – По-моему

I dare say – Осмелюсь сказать

To tell the truth – По правде говоря, ...

I take it for granted that ... - Я считаю само собой разумеющимся, что ...

As far as I know – Насколько мне известно

1. Plagiarism is defined as close imitation of the language and thoughts of another author and the representation of them as one's own original work.
2. Plagiarism is considered to be a criminal offence by most people.
3. Plagiarism by students, professors, or researchers is considered as academic fraud and offenders are subject to corporal punishment.
4. Journalistic ethics allows plagiarism so many journalists plagiarize very often.
5. It is impossible for a student to write down any term-paper or a report without plagiarizing.
6. There are five different kinds of plagiarism.
7. Plagiarism detection is the process of locating instances of plagiarism within a work or document.
8. The widespread use of computers and the advent of the Internet have made plagiarism detection much easier.
9. Plagiarism detection can be only manual.
10. Computer-assisted detection allows vast collections of documents to be compared to each other.

Запомните, что общепринятые идиомы не являются плагиатом!

4. Следующие предложения содержат идиоматические выражения. Из трех объяснений только одно правильное. Выберите правильный ответ. Подберите к ним русские идиомы там, где это возможно. Придумайте мини-ситуации или диалоги с этими идиомами.

1. Wait a moment! It's on the tip of my tongue.
 - a) Something is hurting my tongue.
 - b) I can't speak for a moment.
 - c) I shall remember it in a moment.
2. That will put the cat among pigeons.
 - a) That will cause a lot of troubles.
 - b) The cat will have to stay outside the house tonight.
 - c) Then we shall have as many cats as we have pigeons.
3. We're going to get into hot water when we arrive home.
 - a) We're going to take a nice hot bath.
 - b) We're going to have a trouble.
 - c) The water will have become hot then.
4. The boss is like a bear with a sore head today.
 - a) He has a very bad headache.
 - b) He is in bad mood.

- c) He badly needs a haircut.
5. What's happened? You look as if you've been in the wars.
 a) You look like an old soldier.
 b) You are wearing a lot of medals.
 c) You look as though something unpleasant has happened to you.
6. My fingers are all thumbs!
 a) I am extremely clumsy.
 b) My fingers are all very thick.
 c) I'm trying to attract your attention.
7. The Jacksons are terribly hard up.
 a) They live a very long way up the hill.
 b) They are extremely poor.
 c) They are very cruel people.

В английском языке идиомы часто состоят из двух однородных слов, соединенных союзом "и", усиливающие какое-то качество или явление. Например: bits and pieces – остатки (обрезки, хлам); dead and buried - полностью отвергнутый (похороненный) проект, идея, план; facts and figures – основные детали (связанные с какой-либо ситуацией).

5. Воспользуйтесь толковым словарем или Интернет-ресурсами и составьте устойчивые словосочетания из слов, данных в двух колонках. Переведите их на русский язык. Составьте свои предложения с получившимися идиомами.

- | | |
|-------------------|--------------|
| 1. cock and ... | a. blood |
| 2. cut and ... | b. bull |
| 3. flesh and ... | c. chattels |
| 4. goods and ... | d. cons |
| 5. hard and ... | e. dried |
| 6. head and ... | f. ends |
| 7. hide and ... | g. fast |
| 8. high and ... | h. mighty |
| 9. odds and ... | i. nail |
| 10. prim and ... | j. proper |
| 11. pros and ... | k. seek |
| 12. sick and ... | l. shoulders |
| 13. spick and ... | m. span |
| 14. tooth and ... | n. tear |
| 15. wear and ... | o. tired |

6. В идиоматических выражениях часто используются сравнения человеческих качеств с различными животными, посредством сравнительного оборота as ... as Воспользуйтесь толковым словарем или Интернет-ресурсами и составьте устойчивые словосочетания из слов, данных в двух колонках. Переведите их на русский язык. Составьте свои предложения с получившимися идиомами.

1. as white as ...	a. a mule
2. as red as ...	b. a hunter
3. as ugly as ...	c. honey
4. as hungry as ...	d. a mouse
5. as light as ...	e. hills
6. as firm as ...	f. a feather
7. as obstinate as ...	g. a sin
8. as old as ...	h. a sheet
9. as quiet as ...	i. a rock
10. as sweet as ...	j. a lobster

7. Заполните пропуски прилагательными, которые ассоциируются с качествами предмета или животного.

1. as ... as a lion	a. good
2. as ... as ice	b. black
3. as ... as a berry	c. pale
4. as ... as a picture	d. sober
5. as ... as a judge	e. brave
6. as ... as a peacock	f. brown
7. as ... as gold	g. pretty
8. as ... as pitch	h. proud
9. as ... as a bat	i. cold
10. as ... as a ghost	j. blind

8. Прочитайте определения типов плагиата, затем просмотрите примеры плагиата. Определите тип плагиата в каждом случае. Обоснуйте свое решение.

Copy & Paste Plagiarism: Any time you lift a sentence or significant phrase intact from a source, you must use quotations marks and reference the source.

Word Switch Plagiarism: If you take a sentence from a source and change around a few words, it is still plagiarism. If you want to quote a sentence, then you need to put it in quotation marks and cite the author and article.

Style Plagiarism: When you follow a Source Article sentence-by-sentence or paragraph-by-paragraph, it is plagiarism, even though none of your sentences is exactly like those in the Source Article or even in the same order. What you are copying in this case, is the *author's reasoning* style.

Metaphor Plagiarism: Metaphors are used either to make an idea clearer or give the reader an analogy that touches the senses or emotions better than a plain description of the object or process. If you cannot come up with your own metaphor to illustrate an important idea, then use the metaphor in the Source Article, but give the author credit for it.

Idea Plagiarism: If the author of the Source Article expresses a creative idea or suggests a solution to a problem, the idea or solution must be clearly attributed to the author.

SOURCE ARTICLE	PLAGIARISM
<p>This picture of the constellation Cygnus, the Swan, in visible light looks rather dull. Yet at an infrared wavelength of 60μ the region looks very different. In infrared light we can see a <u>glittering jewel-box</u> of new born stars <u>peeking out</u> of the dust clouds that lie between us and the center of our Galaxy.</p>	<p>Although dusty clouds block our vision of stellar nurseries, infrared light reveals them. These newborns <u>glitter like a jewel box</u> and seem to be <u>peeking at us</u> from behind the dust obscuring them.</p> <p>??? _____</p>
<p>Brown dwarfs <u>rank among the most elusive objects in the universe</u>. With masses from about 15 to 80 times that of Jupiter, they are <u>bigger than planets but too small to ignite the nuclear fusion reactions that cause stars to shine</u>.</p>	<p>Brown dwarfs are difficult to locate and <u>rank among the most elusive objects in the universe</u>. Brown dwarfs have masses from about 15 to 80 times that of Jupiter. Scientists have determined that brown dwarfs are <u>bigger than planets; however, they are too small to ignite nuclear fusion reactions which cause stars to shine</u>.</p> <p>??? _____</p>
<p>Hot stars at 30,000 degrees emit a lot more blue light than red light, and so hot stars look blue or bluish-white. Cool stars at 3,000 degrees give off more red light than blue, and so these stars look red.</p>	<p>Stars considered to be hot are 30,000 degrees, whereas stars as cool as 3,000 degrees are considered to be cold.</p> <p>??? _____</p>
<p><u>Especially since the launch of HST and the unprecedented clarity of the images satellites have given us</u>, you've all seen on the news or in books, beautiful color pictures of various sights in the cosmos. <u>But is this the way you would see these objects if you went there?</u> Well, to tackle that question, first we have to consider the nature of light and color. Light is made of waves of electromagnetic radiation. We perceive different wavelengths of visible light as different colors.</p>	<p>Everyone is interested in astronomical images, <u>especially since the launch of HST and the unprecedented clarity of the images satellites have given us</u>. <u>But is this the way you would see these objects if you went there?</u></p> <p>??? _____</p>
<p>Especially since the launch of HST and the unprecedented clarity of the images satellites have given us, You've all seen on the news or in books, beautiful</p>	<p>The beautiful pictures that the space telescope has given us show spectacular color. But is the color real? First, we have</p>

color pictures of various sights in the cosmos. But is this the way you would see these objects if you went there? Well, to tackle that question, first we have to talk about the nature of light and color.

Light is made of waves of electromagnetic radiation. We perceive different wavelengths as different colors.

All solid bodies emit light: stars, rocks and people included. The temperature of the star, rock or person determines which wavelength of light will be most strongly radiated. In the constellation Orion, the upper left star is Betelgeuse (Armpit of the giant), 520 l-y distant. Betelgeuse is a supergiant star, 14,000 times brighter than our sun. and so big, if you were to put Betelgeuse in place of our sun, its surface would reach all the way out to Jupiter. Betelgeuse's color is bright red. On the other hand, another supergiant star, Rigel, with a luminosity 57,000 times that of the sun, appears whitish-blue. The reason that Betelgeuse is red and Rigel is blue is that their surface temperatures are different.

Hot stars at 30,000 degrees emit a lot more blue light than red light, and so hot stars look blue or bluish-white. Cool stars at 3,000 degrees give off more red light than blue, and so these stars look red.

to consider what light and color are. Different wavelengths of light correspond to different colors, and light is called electromagnetic radiation. The temperature of an object determines the color of light emitted, and all things, including people, emit light. In the constellation Orion, the star Betelgeuse is a huge, giant star, as big as the orbit of Jupiter. Betelgeuse is red. Another star in Orion, Rigel, is blue. The reason that they are different colors is that they each have a different surface temperature.

Cold stars are at about 3,000 degrees and emit more red than blue light and very hot stars emit blue light since they have temperatures of about 30,000 degrees.

??? _____

UNIT 4. SOFTWARE FORENSICS

1. Прочитайте текст и ответьте на вопросы.

1. How can you identify software forensics?
2. What are the objectives of software forensics?
3. What characteristic features of the author's style can you find in any program?
4. How can source code authorship analysis be divided?
5. Where is code authorship analysis used?

TEXT

SOFTWARE FORENSICS

Computers and networks have played an important role in peoples' everyday life over the last decade. But while computers have made our lives easier and have improved our standard of living, have also introduced a new venue of criminal activities.

Cyber attacks in the form of viruses, trojan horses, logic bombs, fraud, credit card cloning, and plagiarism of code have increased in severity and frequency.

The creation of a new field with its own methods and tools, called software forensics, has helped to tackle these issues in a proper way and not in an ad hoc manner. The term software forensics implies the use of these tools and methods for some legal or official purpose. Software forensics could be used to examine and analyze software in any form, source or executable code, to identify the author.

Although source code (the textual form of a computer program that is written by a computer programmer) is much more formal and restrictive than spoken or written languages, there is still a

large degree of flexibility when writing a program. This flexibility includes characteristics that deal with the layout of the program (placement of comments, indentation), characteristics that are more difficult to change automatically by pretty printers and code formatters, and deal with the style of the program (comment lengths, variable names, function names) and features that we hypothesize are dependent on the programming experience (the statistical distribution of lines of code per function, usage of data structures). Research studies on this field have proved that many of these features (layout, style, structure) of computer program can be specific to a programmer. Source code authorship analysis can be divided into 5 sub-fields according to the application area:

1. Author identification. The aim here is to decide whether some piece of code was written by a certain programmer. This type of application area has a lot of similarities with the corresponding literature where the task is to determine that a piece of work has been written by a certain author.

2. Author characterization. This application area determines some characteristics of the programmer of a piece of code, such as cultural educational background and language familiarity, based on their programming style.

3. Plagiarism detection. This method attempts to find similarities among multiple sets of source code files.

4. Author discrimination. This task is the opposite of the above and involves deciding whether some pieces of code were written by a single author or by some number of authors.

5. Author intent determination. In some cases we need to know whether a piece of code was written having this as its goal or was the result of an accidental error. In many cases, an error during the software development process can cause serious problems.

It seems that source code authorship analysis is an important area of practice in computer security, computer law, and academia as well as an exciting area of research.

2. Согласитесь или опровергните утверждения. Начните свой ответ с одной из речевых моделей.

Models:

In my opinion – По моему мнению

I can't make up my mind, but ... – Не могу принять решение, но ...

I am keeping an open mind for the moment. – Пока у меня нет никакого мнения на этот счет.

I'm (not) sure that – Я (не) уверен, что ...

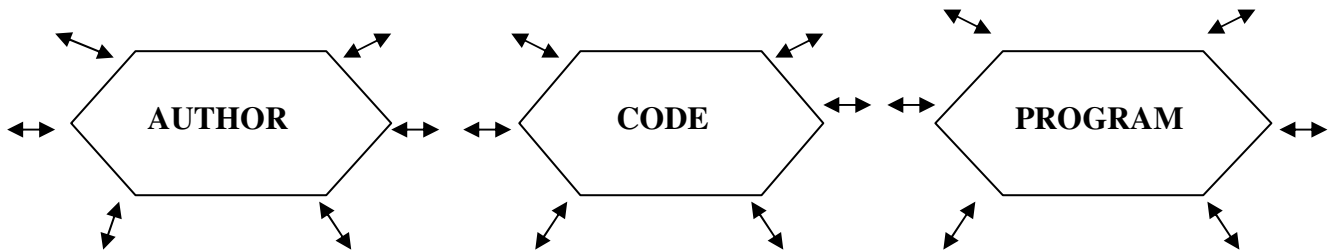
1. Computers have made our lives easier.
2. Computers have introduced a new venue of criminal activities.
3. Credit card cloning and plagiarism of code are quite legal type of activity.
4. Software forensics could be used to examine and analyze software in any form.
5. Cyber attacks in the form of viruses are a widespread phenomenon which shouldn't be fought against.
6. The textual form of a computer program written by a computer programmer is less more formal and restrictive than spoken or written languages.
7. The flexibility of source code includes characteristics dealing with the layout of the program, the style of the program and characteristics that are more difficult to change automatically by pretty printers and code formatters.
8. Source code authorship analysis can be divided into 5 sub-fields according to the application area.
9. Source code authorship analysis is an important area of practice in computer security and computer law.

3. Заполните таблицу информацией из текста.

WHAT IS?

Author identification	Author characterization	Plagiarism detection	Author discrimination	Author intent determination

4. Найдите в тексте словосочетания с данными ниже словами. Переведите их на русский язык. Составьте с этими словами дополнительные словосочетания, которые не встречались в тексте, и проиллюстрируйте их значение на примерах.



5. Напишите дефиниции данным ниже терминам из текста.

1. Viruses are
2. Trojan horses are
3. Logic bombs are
4. Credit card cloning is
5. Cyber attacks are

6. Прочитайте текст и замените русские слова в скобках на их английские эквиваленты. Сформулируйте основную идею текста.

AUTHORSHIP ANALYSIS IN CYBERCRIME INVESTIGATION

The development of networking (технологий) and the Internet in particular, has created a new way to share (информацию) across (время и пространство). While computer (сети) have enhanced (качество жизни) in many aspects, they have also opened a (новую сферу криминальной деятельности). These activities have spawned the (понятие) of cybercrime, which (относится) to illegal computer-mediated activities that can be conducted through (всемирные электронные сети), such as the Internet. One predominant type of cybercrime is distribution of (нелегальных материалов) in cyber space. Such materials include pirate software, (детская порнография), stolen properties, etc. Cyber criminals have been using various Web-based (каналы, чтобы распространять) illegal materials such as Email, websites, Internet newsgroups, Internet chat rooms, etc. One common characteristic of these channels is (анонимность). People usually do not need to provide their real identity information, such as (имя, возраст, пол и адрес), in order to participate in cyber activities. Compared to conventional (преступлениями), cybercrime conducted through such (анонимные каналы) imposes unique challenges for law enforcement agencies in criminal identity tracing. The situation is further (осложняется) by the sheer amount of cyber (пользователей) and activities, making the manual approach to criminal identity tracing impossible for meeting cybercrime investigation requirements.

7. Проектная работа. «Applying Authorship Analysis in Cybercrime Investigation». ПРОЕКТ – это «пять П»: проблема, планирование, поиск информации, продукт, презентация. Группа делится на несколько подгрупп (по 4 -5 человек), каждый студент получает самостоятельный участок работы в проекте. Ознакомьтесь с материалом, предложенным ниже, распределите роли, кто, за что будет отвечать, кто выступит с презентацией, кто подберет дополнительный материал по теме, кто подготовит наглядные материалы и т.п.

The large amount of cyber space activities and their anonymous nature make cybercrime investigation extremely difficult. One of the major tasks in cybercrime investigation is tracing the real identity source of an illegal document. Normally the investigator tries to attribute a new illegal message to a particular criminal in order to get some new clues. Conventional ways to deal with this problem rely on manual work, which is largely limited by the sheer amount of messages and constantly changing author IDs. Automatic authorship analysis should be highly valuable to cybercrime investigators. Figure 1 depicts the typical process of cybercrime identity tracing using the authorship analysis approach.

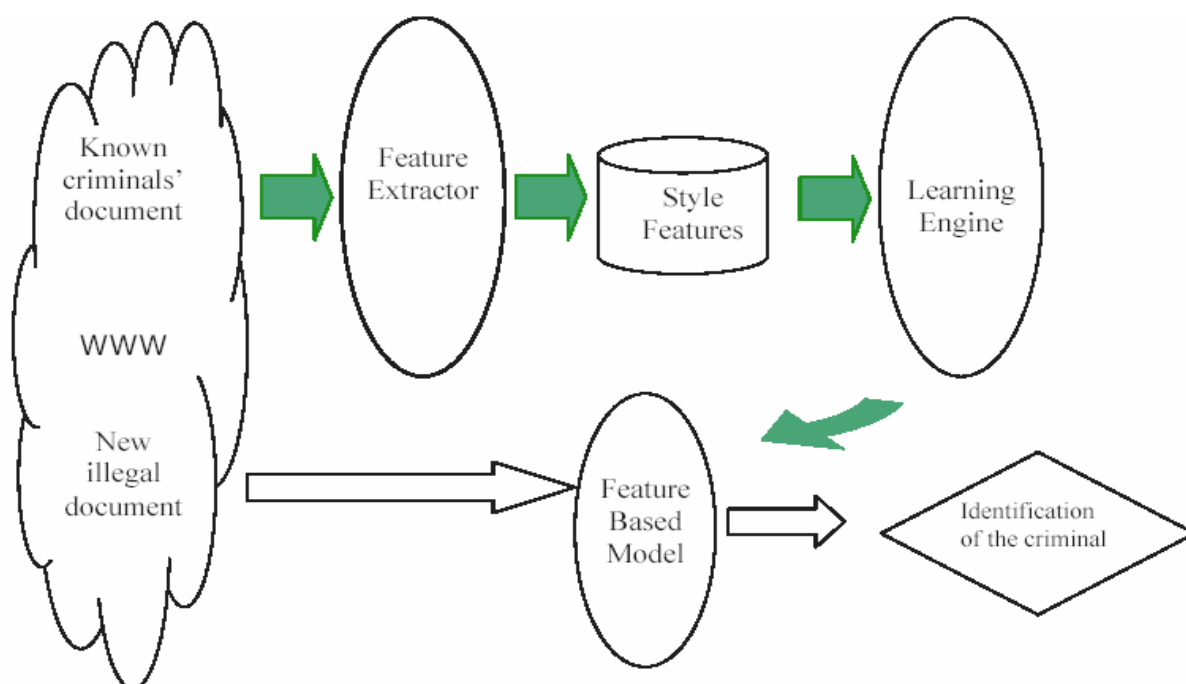


Fig. 1

Fig. 1. A Framework of Cybercrime Investigation with Authorship Analysis assumes that an investigator has a collection of illegal documents created by a particular suspected cyber criminal. In the first step the feature extractor runs on those documents and generates a set of style features, which will be used as the input to/for the learning engine. A feature-based model is then created as the outcome of the learning engine. This model can identify whether a newly found illegal document is written by that suspicious criminal under different IDs or names. This information will help the investigator focus his/her effort on a small scope of illegal documents and effectively keep track of more important cyber criminals. Cyberspace texts have several characteristics which are different from those of literary works or published articles and make authorship analysis in cyber space a challenge to researchers. One big problem is that cyber documents are generally short in length. This means that many language-based features successfully used in previous studies may not be appropriate (e.g., vocabulary richness).

Through observation we were able to spot illegal sales of pirate software in all three newsgroups. **Figure 2** is an example of such a message.

From: "The Collectaholic" <mkusz@comcast.net>
Subject: Software Titles - Only \$3.00
Newsgroups: misc.forsale.computers.other.software
Date: 2002-10-04 12:07:22 PST

All CDs are the original CDs in working condition and come with all the original documentation. Shipping is \$3.00 for first title and \$.50 for each additional title.

\$1.00 Titles
PC World The Best of MediaClips: sounds and graphics that can be used on media projects...

\$3.00 Titles
Boggle: classic word game
Canon Publishing Suite: layout, drawing & photo editing tools

Fig. 2. Illegal Internet Newsgroup Message

We then identified the 9 most active users (represented by a unique ID and email address) who frequently posted messages in these newsgroups. Messages posted by these users were carefully checked to determine whether or not they indicated illegal activities. Between 8 and 30 illegal messages per user were downloaded for use in the experiment.

8. Прочитайте текст. Составьте план текста и озаглавьте его.

TEXT

(Title) _____

- 1. _____
 - a) _____
 - b) _____
 - c) _____
 - d) _____
 - e) _____
- 2. _____
- 3. _____
- 4. _____

Forensic linguists are involved in many areas that relate to crime, both solving crime and absolving people wrongly accused of committing crimes. Some of these areas of research include:

- ✓ voice identification (for instance, determining whether the voice on a threatening tape recording was that of the defendant; sometimes also called *forensic phonetics*);
- ✓ author identification (determining who wrote a particular text by comparing it to known writing samples of a suspect; sometimes also called forensic stylistics);
- ✓ discourse analysis (analyzing the structure of a writing or spoken utterance, often recorded, to help determine issues such as who is introducing topics or whether a suspect is agreeing to engage in a criminal conspiracy);
- ✓ linguistic proficiency (did a suspect understand the Miranda warning or police caution?);
- ✓ dialectology (determining which dialect of a language a person speaks, usually to show that a defendant has a different dialect from that on an incriminating tape recording. As opposed to voice identification, which analyzes the acoustic qualities of the voice, dialectology uses linguistic features to accomplish similar goals).

Author identification is a very interesting and potentially useful area, but it is hampered by the fact that documents in a forensic setting (ransom notes, threatening letters, etc.) are usually much too short to make a reliable identification. Moreover, which linguistic features are reliable indicators of authorship, and how reliable those features are, remains to be discovered. Research is ongoing, however, and the availability of large corpora of speech and writing samples suggests that the field may advance in the future (although the typically small size of the documents in most criminal cases will always be a problem). Moreover, it may be sufficiently reliable to eliminate someone as an author, or select an author from a small group of suspects.

Discourse analysis is a very broad field, and how acceptable its conclusions are depends on the methodology that is used and how any conclusions are described. Discourse analysis can provide helpful information by close analysis of a covert recording and, for instance, showing that the suspect's use of "I" rather than "we" might indicate noncomplicity in a conspiracy. Linguists have also pointed out that when a suspect is recorded as saying "yeah" or "uh-huh" in response to a suggestion, the suspect is not necessarily agreeing with the suggestion, but may simply be providing a feedback marker to indicate he has understood the utterance, as we routinely do in ordinary conversation. Courts have a mixed record in whether they allow discourse analysts to testify as experts, but even when not allowed to testify they may be useful to the lawyers in preparing a case.

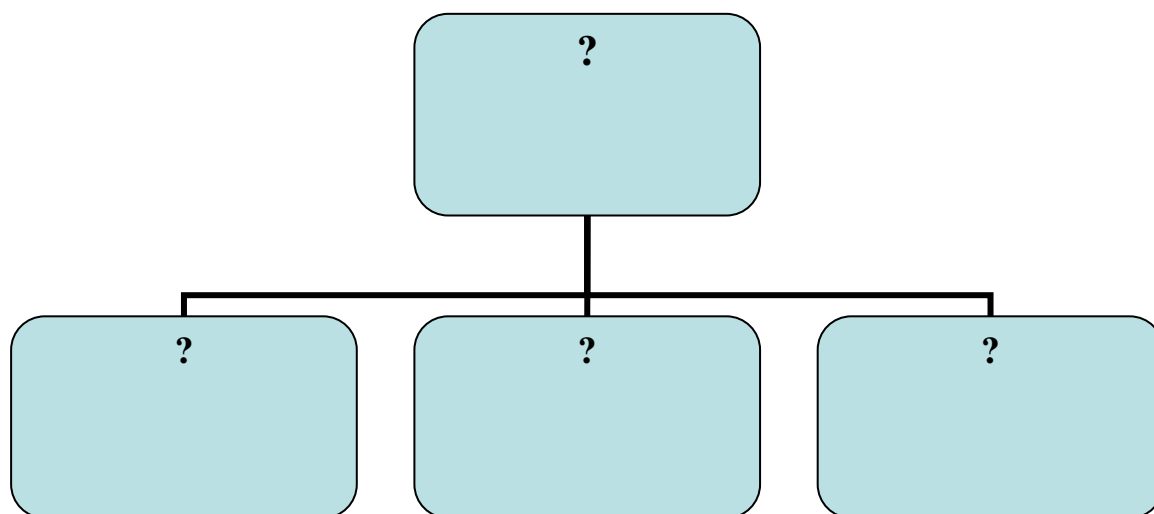
Proficiency testing and dialectology are both time-tested and relatively noncontroversial areas of linguistics. Of course, because of the influence of mass media and population mobility, dialects are becoming less distinct than they once were, and people often mix dialect features. This is a serious problem with linguistic origin analysis. Determining a person's origin by means of his or her dialect or language is also complicated by the fact that many languages straddle a border or are spoken in multiple countries.

(by Peter Tiersma, PhD, University of California)

9. Ответьте на вопросы.

1. What do forensic linguists deal with?
2. What type of research do they perform?
3. What are the main difficulties in author identification?
4. What does discourse analysis depend on?
5. Why are proficiency testing and dialectology noncontroversial areas of linguistics?

10. Заполните схему соответствующей информацией из текста. Напишите аннотацию текста.



11. Сделайте реферативный перевод текста на английский язык.

СУДЕБНО-АВТОРОВЕДЧЕСКАЯ ЭКСПЕРТИЗА

Предметом судебно-автороведческой экспертизы является установление автора документа. Необходимость в установлении автора документа возникает при исследовании анонимных документов, изучении рукописей в случаях, когда автор и исполнитель анонимного документа — разные лица, либо для установления авторства документа, отпечатанного на пишущей машине или типографским путем. Кроме того, при исследовании признаков письменной речи, отобразившихся в документе, эксперт нередко может получить ценную информацию об авторе.

Судебно-автороведческой экспертизой решаются задачи идентификационные, классификационные и диагностические.

При решении идентификационных задач эксперт отвечает на такие вопросы:

- является ли определенное лицо автором текста конкретного машинописного или рукописного документа;
- является ли определенное лицо автором нескольких документов или какого-либо фрагмента текста документа?

К классификационным относятся задачи по установлению групповой принадлежности автора документа, выяснению особенностей его социально-биографического “портрета”. При этом перед экспертом ставятся следующие вопросы:

- носителем, какого наречия (говора) определенного языка является автор конкретного документа;
- каков образовательный уровень автора текста конкретного документа;
- составлен ли текст конкретного документа лицом, обладающим навыками делового (научного, публицистического) стиля письменной речи;
- каков пол, возраст автора документа;
- какова профессия или род занятий автора документа?

При решении диагностических задач, связанных с установлением собственно условий составления текста, эксперт отвечает, в частности, на вопросы:

- составлен ли текст конкретного документа с намеренным искажением письменной речи;
- являются ли автор и исполнитель рукописного текста одним и тем же лицом;
- в каком состоянии находился автор исследуемого текста во время составления последнего: в обычном или необычном психофизиологическом состоянии (состояниях алкогольного либо наркотического опьянения, стресса, физической усталости, болезненном состоянии и т.п.)?

Эксперт-авторовед, решая поставленные перед ним вопросы, использует информацию об авторе, установленную с помощью специальных познаний путем исследования структурных особенностей текста документа. Именно характеристики (особенности) языковых и понятийно-смысловых структур текста, в которых отражаются свойства языковых и интеллектуальных навыков автора, рассматриваются в судебно-автороведческой экспертизе в качестве признаков письменной речи.

UNIT 5. A FORENSIC LINGUISTIC REPORT

1. Прочитайте текст.

TEXT

DOCUMENTING AND REPORTING

Principle: The examiner is responsible for completely and accurately reporting his or her findings and the results of the forensic examination. Documentation is an ongoing process throughout the examination. It is important to accurately record the steps taken during the examination.

Procedure: All documentation should be complete, accurate, and comprehensive. The resulting report should be written for the intended audience.

Examiner's notes

Documentation should be contemporaneous with the examination, and retention of notes should be consistent with departmental policies. The following is a list of general considerations that may assist the examiner throughout the documentation process.

- Take notes when consulting with the case investigator and/or prosecutor.
- Maintain a copy of the search authority with the case notes.
- Maintain the initial request for assistance with the case file.
- Maintain a copy of chain of custody documentation.
- Make notes detailed enough to allow complete duplication of actions.
- Include in the notes dates, times, and descriptions and results of actions taken.
- Document irregularities encountered and any actions taken regarding the irregularities during the examination.

The structure of the linguist's statement will follow the report style of the empirical sciences, something along these lines:

1. Summary (equivalent to the abstract of an academic paper).

2. Articulation of problem (research problem and statement of hypotheses).
3. Upfront statement of opinion (usually at the end of an academic paper).
4. Previous work: Linguistic studies related to identified variables or legal precedents related to problem or variation (often best handled by attorney).
5. Method. Outline the research tasks that match the specified problem; data collection and organization; data analysis.
6. Findings.
7. Discussion.
8. Conclusion:
 - (9.) Identification
 - (8.) Highly probably did write
 - (7.) Probably did write
 - (6.) Indications did write
 - (5.) Inconclusive
 - (4.) Indications did not write
 - (3.) Probably did not write
 - (2.) Highly probably did not write
 - (1.) Elimination

Glossary

A glossary may be included with the report to assist the reader in understanding any technical terms used. Use a generally accepted source for the definition of the terms and include appropriate references.

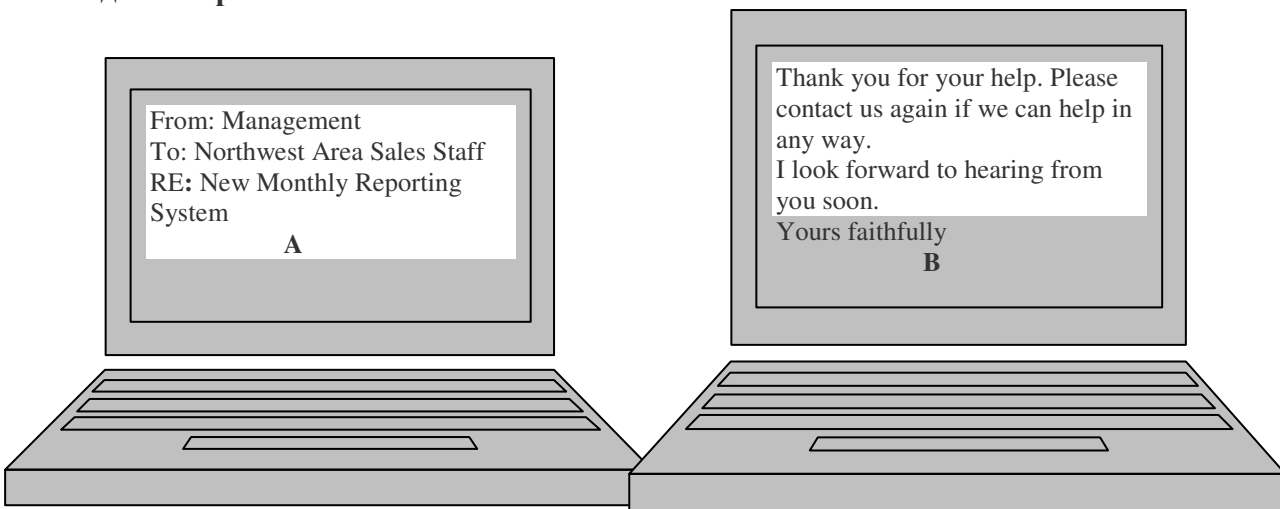
2. Напишите деловое письмо. Перепишите список общих рекомендаций по ведению документации во время проведения судебной экспертизы и написанию экспертного заключения. Используйте модальные глаголы и формулы вежливости вместо глаголов в повелительном наклонении. Воспользуйтесь советами по составлению делового письма, данными ниже и материалами Модуля 4.

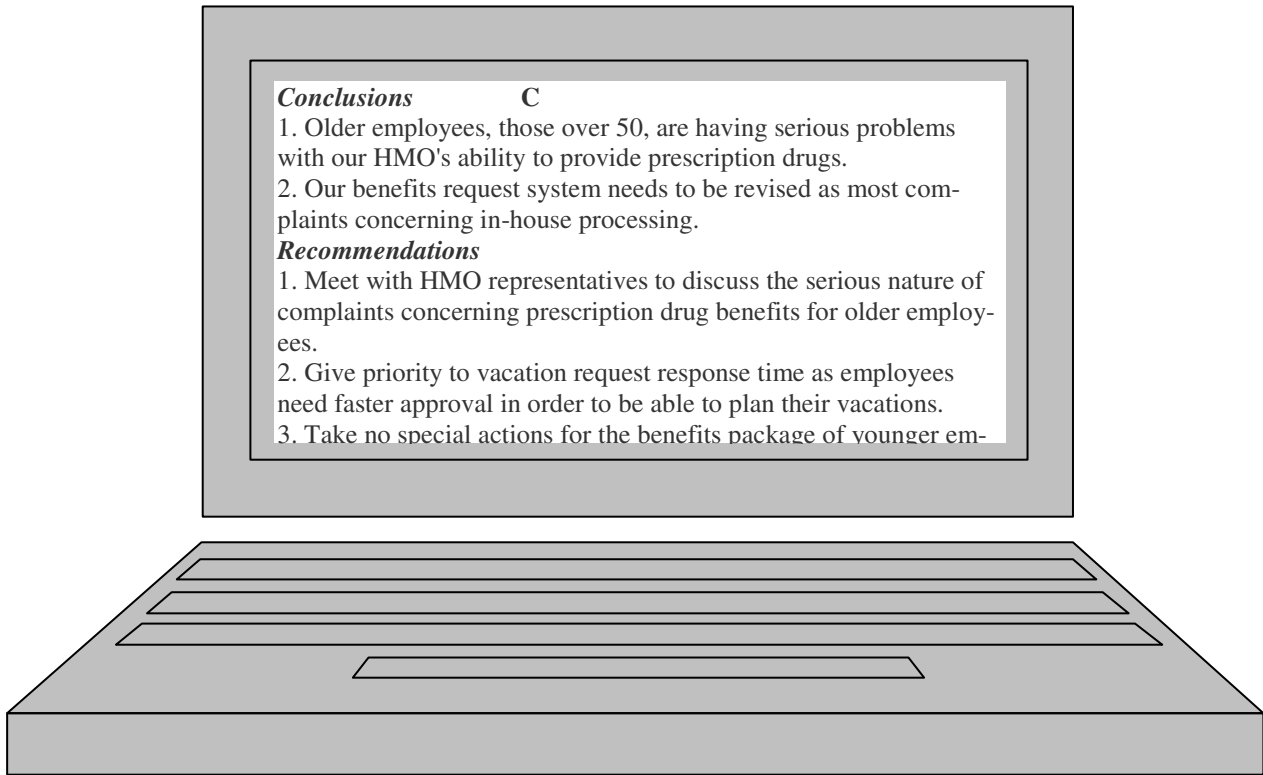
1. Use block style - do not indent paragraphs.
2. Include address of the person you are writing to at the top of the letter, below your company address.
3. After the address, double space and include date.
4. Double space (or as much as you need to put the body of the letter in the center) and include the salutation. Include Mr. for men or Ms for women, unless the recipient has a title such as Dr.
5. State a reference reason for your letter (i.e. 'With reference to our telephone conversation...')
6. Give the reason for writing (i.e. 'I am writing to you to confirm our order...')
7. Make any request you may have (i.e. 'I would be grateful if you could include a brochure...')
8. If there is to be further contact, refer to this contact (i.e. 'I look forward to meeting you at...')
9. Close the letter with a thank you (i.e. 'Thank you for your prompt help...')
10. Finish the letter with a salutation (i.e. 'Yours sincerely,')
11. Include 4 spaces and type your full name and title.
12. Sign the letter between the salutation and the typed name and title.

Tips:

- 1) Keep the letter brief and to the point
- 2) Do not use shortened verb forms - write them out (i.e. 'don't instead of do not')
- 3) Always keep a copy of correspondence for future reference.

3. Посмотрите на мониторы компьютеров и определите, какие виды документов находятся в работе.





4. Прочитайте экспертное заключение, написанное ведущим экспертом-лингвистом Майклом Хейсером по поводу секретных документов Пентагона США об НЛО. Заполните таблицу, представляющую собой типовую структуру экспертного заключения, описанную в предыдущем тексте, кратко сформулированной информацией из заключения.

SUMMARY	
ARTICULATION OF PROBLEM	
PREVIOUS WORK	
METHOD	
FINDINGS.	
DISCUSSION	
CONCLUSION	

The Majestic Documents: A Forensic Linguistic Report

Michael S. Heiser, PhD
June 2007

1. Introduction

1.1. What Are the Majestic Documents?

The term “Majestic documents” refers generally to thousands of pages of purportedly classified government documents that prove the existence of a Top Secret group of scientists and military personnel—Majestic 12—formed in 1947 under President Harry Truman, and charged with investigating crashed extraterrestrial spacecraft and their occupants. Majestic 12 personnel allegedly included a number of noteworthy political, scientific, and military figures, including: Rear Admiral Roscoe Hillenkoetter, the first CIA Director; Dr. Vannevar Bush, wartime chair of the Office of Scientific Research; James Forrestal, Secretary of the Navy and first Secretary of Defense; General Nathan Twining, and Dr. Donald Menzel, an astronomer at Harvard University.

More specifically, the Majestic documents refer to a series allegedly classified documents leaked from 1981 to the present day by unidentified sources concerning Majestic 12 and the United States government’s knowledge of intelligent extraterrestrials and their technology.

The documents date from 1942 to 1999. Due to the explosive nature of their content, the Majestic documents are considered by many to be the core evidence for a genuine extraterrestrial reality and alien visitation of planet Earth in the 20th century. United States government personnel have denied their authenticity, primarily on an opinion rendered by AFOSI, the U.S. Air Force counterintelligence office.

1.2. Previous Research on the Majestic Documents

The Majestic documents have undergone thorough forensic authentication with respect to non-linguistic issues and methods. The researchers have tested the documents in the following ways:

1. Physical dating of the ink, pencil and paper
2. Dating by matching the reproductive process (typography) of the typewriter, printer, copy machine, or mimeographic machine
3. Dating by use of language of the period
4. Watermarks and chemical composition of paper
5. Comparison of handwriting
6. Comparison with known events of record
7. Comparison with known styles for government memoranda and correspondence
8. Comparison with known or expected security procedures
9. Logic of content
10. Records of provenance
11. Eyewitness testimony of individuals mentioned in documents.

1.3. Nature and Objectives of the Current Study

This study fills the existing research void created by the absence of strictly linguistic approaches to the problem of authenticating the Majestic documents. The goal of the research presented in this study was to determine whether the Majestic documents that carry a signature were indeed written by the people to whom authorship is attributed.

Toward achieving this goal, the study employed state-of-the-art computational linguistic methods of authorship attribution. In some cases, these techniques have been pioneered by Dr. Carol Chaski, a recognized leader in this type of linguistic research. These methods have been employed, validated, and approved numerous times in various courts of law. It is the opinion of the authors that the utili-

zation of these methods is the most reliable and testable means of authenticating or refuting the authorship attribution of those Majestic documents that bear the name of an author.

The focus of this study, as noted, is validation or falsification of the authorship attributions of the Majestic documents. As such, the scientific methods employed for this study cannot be used to validate the content of any of the Majestic documents whose authorship proves genuine. The computational methods of the research cannot determine the truth of written content. It can only determine whether or not that content was written by the attributed author

The remainder of this paper details the application of computational linguistic methods to determine the authenticity of authorship attributions of the Majestic documents. The paper is divided into the following sections:

- Description of the Majestic documents included and excluded in the study
- Overview of the linguistic testing methods used in the study
- Explanation and interpretation of the test results
- Overview of how these same methods have held up in courts of law
- Suggestions for future linguistic research of the Majestic documents

2. Authorship Attribution Study of the Majestic Documents

2.1. Source of the Majestic Documents for Testing

The Majestic documents tested were obtained online via www....com

2.2. Selection of the Majestic Documents for Testing

For authorship attribution testing to be undertaken, the document under question must have been attributed to some author. As such, *only those documents among the Majestic documents that specifically bear the name of a signatory author were considered for testing.*

Any document that appeared important for validating the extraterrestrial hypothesis (ETH) as an explanation to UFOs was included in the testing. For example, a document that mentioned the retrieval or transport of wreckage from Roswell or some other event famous for its connection to the UFO question.

2.3. Overview of the Linguistic Testing Methods Used in the Study

The material in this section draws heavily upon the peer-reviewed article by Dr. Chaski. Dr. Chaski explains that, when it comes to document attribution in the legal world, methods for determining authorship “must work in conjunction with the standard investigative and forensic techniques which are currently available.” Determining authorship of a typewritten document, whether originally or subsequently put into electronic form, can be approached three ways: “. . . biometric analysis of the computer user; qualitative analysis of ‘idiosyncrasies’ in the language in questioned and known documents; and quantitative, computational stylometric analysis of the language in questioned and known documents.”

With respect to the Majestic documents, the first method is not possible—there is no way to analyze actual keystroke pattern dynamics. This method is technically non-linguistic. The second method “assesses errors and “idiosyncrasies” based on the examiner’s experience.” This method also has the disadvantage of requiring the pre-existence of a stylistic database against which to measure presumed idiosyncrasies.

The third approach, stylometry, “is quantitative and computational, focusing on readily computable and countable language features, e.g. word length, phrase length, sentence length, vocabulary frequency, distribution of words of different lengths.” Stylometric analysis also may include analysis of function word frequency and punctuation.

As one of the leaders in the field of the development of authorship attribution techniques that meet legal standards for evidence, Dr. Chaski has developed “a computational, stylometric method which has obtained 95% accuracy and has been successfully used in investigating and adjudicating several crimes involving digital evidence.”

One final word on the testing enterprise is necessary. It is acknowledged that many of the Majestic documents were not handwritten or even typed by the author to whom they are attributed. The typical practice, especially for presidents, would be to verbally dictate the content of correspondence to a secretary who would type and reproduce the content. This reality is not at odds with Dr. Chaski’s

testing methods since memoranda and correspondence are not be produced by distinct psycholinguistic processes. In other words, there is no significant linguistic difference between dictating a letter as one would desire it be written and the mental connection to the act of typing those thoughts oneself.

2.4. *Explanation of the Test Results*

In testing the Majestic documents, **the first step** involved taking the KNOWN documents undisputedly authored by the person whose authorship is attributed to them, and combining them together to get a “stylistic pool” of data for each author.

The second step was to run computational stylistic comparisons between each UNVERIFIED document to its corresponding set of KNOWN.

The third step was to compare each KNOWN document pool to all the other KNOWN document pools for similarity scores. The purpose of this step was to detect how similar or dissimilar one KNOWN document pool was to another KNOWN document pool.

The fourth step was to rank all of the resulting similarity scores. The similarity score of the UNVERIFIED document to its corresponding KNOWN document pool was ranked alongside the similarity scores of the KNOWN document pools compared to each other. That would be a “match” with respect to linguistic authorship validation.

2.5. *Results*

The results are illustrated below in the next several pages. ...

3. **Commentary on the Test Results**

3.1. *A Positive Contribution to Ufology*

Although some readers might quickly conclude that this preliminary report severely damages the validity of the UFO phenomenon, such a conclusion would be misguided. The genuineness of the UFO phenomenon, whatever its true nature might be, does not depend on the Majestic documents. It would be far more accurate to say that the test results cast significant doubt on the wisdom of using the Majestic documents tested by Dr. Chaski to draw any conclusions about UFOs. Since the documents are very likely fraudulent, no arguments should be based on them. They cannot be held up by researchers as valid evidence for anything associated with UFOs, except perhaps a will to deceive on the part of someone, or a desire to move people to a certain conclusion about UFOs. So how do the test results make a positive contribution to Ufology? I believe this is the case in several respects.

First, the report ought to encourage researchers and interested amateurs to focus on the demonstrably real abundance of physical evidence that stands behind the thousands of people who have seen things in the sky that defy precise scientific identification. This abundance includes a great deal of documentary evidence from official government agencies that existed prior to the appearance of the Majestic documents.³² If nothing else, perhaps this study will help researchers not be unnecessarily distracted by data that is unreliable.

Second, the test results validate the persistent work of Stanton Friedman, including his positions on the fraudulence of certain Majestic documents. Friedman’s stance on the fraudulence of several Majestic documents has not been embraced by some important UFO researchers, namely Dr. Robert and Ryan Wood. Dr. Chaski’s testing ought to compel Friedman’s opponents on these documents to concede the point, at least with respect to those fraudulent documents included in our testing.

Third, the test results represent the application of genuine science to UFO studies. This in turn argues for continued testing. The question still exists as to whether some of the Majestic documents *lacking* a named author—and thus not included in this round of testing—may be genuine. While authorship attribution testing cannot be applied directly to these documents, now that such testing has been conducted on documents bearing author names, the results of those tests can potentially be applied to testing the other Majestic documents (see Section 4 below).

Lastly, since Dr. Chaski’s methods have met the standards of peer review within her profession and the standards of evidence in the legal profession, the document that has passed linguistic testing—and any documents that pass subsequent testing—should be considered very likely of genuine authorship.

3.2. *Unfavorable Implications for the Extraterrestrial Explanation for UFOs*

First, it must be observed that none of the author-bearing Majestic documents that refer to the recovery of alien bodies or contact with extraterrestrials passed the computational linguistic testing. This being the case, it would be fair to say that, as far as those Majestic documents which bear an author name, the alien hypothesis has been noticeably weakened.

However, the reader is reminded that: (a) other Majestic documents that have no author name and so could not be tested do contain such dramatic references; and (b) other UFO related documents outside the Majestic cache (but which are themselves unprovenanced) occasionally contain such language.³³ That such language is present in other documents of course does not prove that there are extraterrestrials and that extraterrestrial visitations to earth have occurred. Obviously, just because an opinion is expressed in writing does not make that opinion a reality, and just because the author of a document suspected or believed a particular idea does not make that idea a reality.

Second, the test results cast a shadow over the Majestic documents as reliable data *en toto*. It seems quite obvious, given the work of Friedman and Dr. Chaski that a concerted disinformation attempt was in play with respect to the leaks of the Majestic documents. Such a state of affairs calls to remembrance Greg Bishop's recent expose on the deliberate manipulation of Dr. Paul Bennewitz by the U.S. government to both perpetuate UFO mythology and penetrate UFO groups.

Third, it is possible that further testing will succeed in linking the stylistics of other Majestic documents that do not bear author names with certain Majestic documents which have failed the linguistic testing already conducted. That is, it might be that the stylistics of a forged or faked Majestic document could be matched to other Majestic documents which were not tested. If such matching emerges, even more Majestic documents will be tainted by the association and thus come under suspicion as forgeries or fakes.

4. Prospects for Future Testing

If funding is obtained, much more work could be done by Dr. Chaski on the Majestic documents. Basically, the additional work would fall into two areas:

1) Additional language features could be added to the testing. Dr. Chaski has already used methods that have been validated over 90% of the time. The results obtained thus far could be assured to an even higher degree by further testing. New testing will not reverse the results already obtained, but can make the results even more assured and allow the researcher to make specific statements (in terms of probabilities) about the documents.

2) Perhaps more importantly, more nuanced testing would produce data that would allow Dr. Chaski to compare the stylistics of those Majestic documents that were tested against those that were not, particularly those that lack author attribution. Comparison of stylistics might allow the researcher to arrive at a statistical likelihood that certain documents might have been written by the same hand.

Conclusion

In drawing this report to a close, readers are again reminded of the preliminary nature of the report. Only a portion of the Majestic documents were tested, for the reasons given in Section 2.2. To move linguistic research of the Majestic documents beyond the preliminary status, more research must be undertaken. The major obstacle to this progress is funding.

Hopefully the value of this research will be apparent to those interested in applying scientific methods to the study of UFOs, and appropriate funding will be found.

5. Обсуждение - «Круглый стол».

Topic: Positive and Negative Implications for the Extraterrestrial Explanation for UFOs.

Группа делится на сторонников и противников дальнейшего исследования этой проблемы, в связи с вкладом, сделанным этим исследованием. Каждый из участников высказывает свою точку зрения, опираясь на выводы, сделанные в экспертном заключении Майкла Хейсера и информацией, найденной самостоятельно. Ведущий следит за

тем, чтобы обсуждение проходило в конструктивной атмосфере. Воспользуйтесь предложенными ниже речевыми моделями.

Вопрос-просьба

<p>Не могли бы Вы сказать...? О чем идет речь? В чем дело? Разрешите (те) спросить/сказать? Скажи (те), пожалуйста... Что Вы об этом думаете? Не спешите, пожалуйста. Давай (те) (+глагол). У меня есть идея. У нас есть предложение... Я думаю, что...</p>	<p>Could you tell me (us)...? What is it all about? What's the matter? May I ask you/say? Tell me, please... What do you think about it? Don't hurry, please. Let us (+verb.). I've got an idea. We've got a suggestion... I think that...</p>
---	--

Переспрос. Уточнение

<p>А как это понимать? Теперь понятно? А потом? Да, а почему? И что же дальше? Ну, и...? Объясни, пожалуйста. Простите, не понял (а). Что ты имеешь в виду? Что Вы сказали?</p>	<p>And what does it mean? Is it clear now? And after that? /And then? Yes, but why? And what happened next? Well, and..? Please, explain it. Sorry, I didn't quite catch it. What do you mean? What did you say?</p>
--	---

Просьба

<p>У меня к Вам просьба. Будьте любезны/так добры/ Мне хотелось бы попросить Вас (+инф.).</p>	<p>I have a request to you. Be so kind as to get me... I'd like to ask you (+inf.).</p>
--	---

Ответные реплики

<p>Да, с удовольствием! Да, а почему бы и нет? Разумеется! Конечно! Пожалуйста, прошу Вас. Не могу. К сожалению, не могу.</p>	<p>Yes, with pleasure. Yes, why not? Sure! Certainly! Please! I can't. I am sorry, I can't</p>
---	--

UNIT 6. TEST YOURSELF

1. Выберите правильный вариант ответа.

1. is focused on author identification of questioned writings.

- a) semiotics
- b) semantics
- c) forensic stylistics
- d) auditory phonetics

2. Stylistics is the scientific study of

- a) handwriting
- b) idiolect and linguistic characteristics
- c) communication and language as systems of signs and symbols
- d) psychology

3. is a language usage pattern unique to a person.

- a) dialect
- b) idiom
- c) vocabulary
- d) idiolect

4. The primary application of forensic stylistics is in the area of

- a) questioned authorship
- b) questioned documents
- c) questioned speech
- d) questioned programs

5. Linguistic stylistics uses two approaches to authorship identification:

- a) semantic and pragmatic
- b) qualitative and quantitative
- c) modern and the old one
- d) computing and writing

6. is the "use or close imitation of the language and thoughts of another author and the representation of them as one's own original work."

- a) computer crime
- b) copying
- c) plagiarism
- d) copyright

7. The two ways of plagiarism detection are

- a) reading and comparing
- b) searching and analyzing
- c) oral and writing
- d) manual and computer-assisted

8. could be used to examine and analyze software in any form, source or executable code, to identify the author.

- a) software forensics
- b) computing forensics
- c) digital forensics
- d) data forensics

9. Software forensics helps to tackle

- a) viruses, trojan horses
- b) cyber attacks in the form of viruses, trojan horses, logic bombs, fraud, credit card cloning
- c) fraud, credit card cloning

10. Source code authorship analysis can be divided into

- a) 2 sub-fields according to the application area
- b) 10 sub-fields according to the application area
- c) 5 sub-fields according to the application area
- d) 4 sub-fields according to the application area

11. Voice identification is sometimes called

- a) forensic stylistics
- b) forensic phonetics
- c) stylometry
- d) forensic linguistics

12. Discourse analysis depends on

- a) the quality of information recorded
- b) the methods of interpreting the information recorded
- c) the methodology of conclusion description
- d) all listed above

2. Прочитайте текст и подберите соответствующее название каждой части текста, предложенные ниже и пронумерованные римскими цифрами, (одно название – лишнее).

- Linguistic evidence
- Language of written texts
- Language of the law
- Language of the judicial process

Forensic linguistics can be fairly characterized as taking linguistic knowledge, methods and insight, and applying them to the forensic context of law, investigation, trial, punishment and rehabilitation. It is not a homogenous discipline in its interest, methods or approach and involves a wide spectrum of practitioners and researchers applying themselves to different areas of the field. (I_____)

(I_____)

Any brush with legal language whether it is a mortgage agreement or the language of a will can leave one wondering why it is so complex and difficult to read. (2_____) For example, Peter Tiersma is currently working on the reforming of the language of jury instructions.

(II_____)

The judicial process from point of arrest, through interview, charge, trial and sentencing is substantially linguistic and linguists have studied all aspects of this process. (3_____) There is some concentration on issues of language disadvantage in interviews whether this concerns those individuals that psychologists consider vulnerable or second language users. There is interest in the language of lawyers and witnesses and the effectiveness of linguistic strategies in cross-examinations.

(III_____)

Linguists have been called to give expert testimony in a variety of types of cases across UK and international jurisdictions. (4_____) As language is ultimately about the communication of meaning it is perhaps unsurprising that linguists sometimes give testimony as to what a person meant. One of the most celebrated linguist working in this area is Roger Shuy who has shown that a dispute over a threat, bribe or other language crime can be illuminated by a careful conversation and analysis.

Trademark disputes often concern questions of when a trademarked term begins to be used generically. Such situations can lead to the death of the trademark. For example if the generic verb to search the internet becomes 'to google' then Google will suffer trademark death, lose its legal protection and become a term any search engine can use. The examination of this process and whether it has occurred in a particular case is also an area where linguists have testified. In some cases a text of disputed authorship is compared with texts of known authorship in order to try to link texts by the same author. Such authorship analysis evidence has been used in a variety of cases across the UK, USA and Australian jurisdictions. (5_____)

2. Из каждой части текста было удалено по предложению. Расставьте предложения по местам. В тексте удаленные предложения пронумерованы арабскими цифрами (одно предложение – лишнее).

- A. The vast majority of cases where linguists are involved concern issues of linguistic competence.
- B. There are perhaps three main areas of application for linguists working in forensic contexts; understanding language of the written law, understanding language use in forensic and judicial processes and the provision of linguistic evidence.
- C. Linguists, for example, have a considerable interest in the language of police (and other) interviews of witnesses and suspects.
- D. Forensic linguist applies linguistic knowledge and techniques to the language used in legal cases or proceedings and private disputes between parties which may result in legal action.
- E. Linguists are interested in the nature of the complexity of legal language and also whether anything can be done about it.
- F. Evidential texts have varied considerably in length and type in recent cases from SMS text messages to long terrorist conspiracy documents.

GLOSSARY

1. authorship – авторство, источник происхождения

~ analysis – экспертиза по установлению авторства

~ attribution - атрибуция, установление авторства

questioned ~ - спорное авторство

source code ~ analysis – экспертиза по установлению авторства исходного текста компьютерной программы

2. biometrics - биометрия (технология идентификации личности на основании одной или нескольких физических или поведенческих черт)

3. computer security - компьютерная безопасность, компьютерная защита

4. cryptographic signature – установление подлинности цифровой подписи с помощью компьютера

5. discourse – дискурс (разговор, беседа как объект лингвистического исследования)

~analysis – анализ дискурса

spoken ~ – устное высказывание, разговор

6. identification - опознавание, распознавание, идентификация, определение

authorship ~ – распознавание, определение авторства

false ~ – ложное, неверное определение

visual ~ – визуальное определение

voice ~ – определение говорящего по голосу (фоноскопия)

speaker ~ – идентификация личности по речи

7. idiolect – идиолект (индивидуальные особенности лексики, грамматики, идиоматики и фонетики речи индивида)

8. intrusion detection system – системы обнаружения вторжений (программное или аппаратное средство, предназначенное для выявления фактов неавторизованного доступа в компьютерную систему или сеть)

9. linguistics – лингвистика, наука, изучающая языки

applied ~ - прикладная лингвистика

forensic ~ - судебная лингвистика

linguistic stylistics - лингвистическая стилистика

linguistic characteristics – лингвистические характеристики

10. phonetics – фонетика, раздел языкознания, изучающий звуки речи и звуковое строение языка

acoustic ~ – акустическая фонетика (научная дисциплина, изучающая физические свойства речевого сигнала)

auditory ~ – слуховая фонетика (научная дисциплина, изучающая восприятие звуков)

11. plagiarism – плагиат

suspect of ~ – подозревать в плагиате

word-for-word ~ - дословный плагиат

plagiarize – заниматься плагиатом, незаконно заимствовать, списывать

12. pragmatics – прагматика, раздел семиотики исследует связь знаков с «адресатом», то есть проблемы интерпретации знаков теми, кто их использует, их полезности и ценности для интерпретатора

13. stylistics – стилистика, филологическая дисциплина, изучающая неодинаковые для разных условий языкового общения принципы выбора и способы организации языковых единиц в единое смысловое и композиционное целое (текст), а также определяемые различиями в этих принципах и способах разновидности употребления языка (стили) и их систему

stylistic analysis – стилистический анализ

stylistic investigation – стилистическое исследование

style-marker – стилистический маркер, указатель

14. stylometry – стилометрия (исследование стилистики, обычно включающее статистический анализ письменного текста, используется для датировки текста и применяется как в филологии, так и в судебной экспертизе.

15. variability in language - вариативность языковых средств

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